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PROCEEDINGS

OF THE

MADRAS GOVERNMENT

IN THE

POLITICAL DEPARTMENT.

FOR THE YEAR 1868.

(IN FOUR VOLUMES.)

VOL. IV.

MADRAS RECORD OFFICE

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1868.

A.

POLITICAL DEPARTMENT.

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POLITICAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of October **1868.**

Read the following papers:—

No. 1. To the Right Honorable the Governor in Council,

Fort Saint George.

The humble petition of JOHN LIDDELL, at present a prisoner in Trevandrum, in the Travancore State,

Showeth,

That, on the 3rd of August, under a warrant from the Dewan of Travancore, your petitioner was removed from this place, under a guard of seven Sepoys and three peons in charge of an Inspector, for the purpose of being handed over to the British authorities at Shoranoor.

2. On arrival at British Cochin, on the evening of Wednesday the 5th August, your petitioner demanded his liberty from the person in charge, on the ground that he was in British territory and beyond the jurisdiction of the Travancore authorities, there being at the time no legal warrant in existence to detain him.

Notwithstanding which, your petitioner was unlawfully brought back to Travancore, on a simple telegram from the Dewan, and detained, without any warrant whatever, for three weeks in an unhealthy Travellers' Bungalow situated among the low paddy fields in the Backwater, from which the only supply of water could be obtained.

3. That your petitioner, while still in British Cochin, and frequently during the progress of his return, protested against the illegal proceedings of the Inspector in charge without effect, and having no means of seeking immediate redress he submitted to be brought back to Trevandrum, and, as soon after his arrival there as possible, he submitted a demand to the Dewan for his immediate release, and at the same time solicited the interference of the British Resident.

4. Copies of the letters sent to these officials, of which no notice has been taken, are herewith sent for the information of your Lordship in Council.

5. Your petitioner apprehends that under the provisions of the Act passed by the Governor General in Council on the 10th January 1867, all the proceedings taken against him by the Travancore Sircar were illegal from the beginning, your petitioner being a European born British subject; and that, now having passed out of the custody of the Travancore authorities by having been sent to British Cochin, he is unlawfully detained by them, and that he is entitled to be liberated at once, under Section 49 of the Code of Criminal Procedure.

6. Your petitioner would take the liberty to point out to your Lordship in Council that, though this Code has only been partially adopted in Travancore at the caprice of the executive, it is in full force in British Cochin, and while there your petitioner was entitled to be punished or protected by its provisions.

7. Your petitioner would also submit that his removal from British Cochin without any warrant whatever was utterly illegal.

8. Under these circumstances, your petitioner would humbly crave that your Lordship in Council will be graciously pleased to order your petitioner's immediate release ; and your petitioner, as in duty bound, will ever pray.

TREVANDRUM, (Signed) J. LIDDELL.
3rd September 1868.

From Mr. J. LIDDELL, to the Dewan of Travancore ; dated Trevandrum, 27th August 1868.

Having been taken to Cochin by your order, that place being British Territory and beyond your jurisdiction, my detention has by that act become utterly illegal.

I have, therefore, the honor to demand that you will order my immediate release from confinement.

From Mr. J. LIDDELL, to the British Resident, Trevandrum ; dated Trevandrum, 27th August 1868.

I have the honor to hand you copy of a letter which I have this day addressed to the Dewan.

2. I have been unlawfully detained in custody since the 5th instant, the date of my arrival in Cochin, that place being British Territory. I was out of custody on that date, and no authority can now lawfully detain me. I have, therefore, to request that you will, as British Resident, adopt such measures as you may think needful to procure my immediate release.

3. I found my right to release on the Act passed by the Governor General in Council on the 10th January 1867 and on Section 40 of the Code of Criminal Procedure, to which I beg to refer you.

4. Should you not feel called upon, as British Resident, to take the steps I solicit, I beg you will permit me to lay a statement of the case before the Madras Government.

From Mr. J. LIDDELL, to the British Resident, Trevandrum ; dated Trevandrum, 29th August 1868.

Referring to my letter of the 27th instant, I have the honor to point out an error which it is of importance to rectify.

2. In that letter I state that I found my claim to release on the Act passed by the Governor General in Council on the 10th January 1867, and on Section 40 of the Code of Criminal Procedure ; whereas, I ought to have stated that I found my claim on that Act and on Section 49 of the Code of Criminal Procedure, to which I would now beg to refer you, and I have again to call your attention to the fact that every hour I have been detained in custody since the moment I passed the frontier of Travancore on the 5th instant has been unlawful.

3. I would also take the liberty to request your reference to Mayne's Commentary on the Penal Code, page 22, Edition of 1862, and Section 60.

No. 2.

OPINION.

I am of opinion that the trial of Mr. Liddell by the Travancore Court is illegal.

2. It took place subsequently to the Proclamation of the Governor General in the *Gazette of India* of 1867 (paragraph 36) conferring on the High Court of Madras original criminal jurisdiction over European British subjects of Her Majesty being Christians. This Proclamation was under and in conformity with 28 Vic., C. 15.

3. The effect of the Statute and proclamation is to put an end to the jurisdiction of the Travancore Courts over such British subjects, and to confer it on the High Court.

4. The criminal jurisdiction over European British subjects hitherto exercised by the Travancore Courts does not appear to rest upon any treaty, but to have been ceded by courtesy and comity.

5. Mr. Liddell, on obtaining permission to reside in Travancore, consented, it is true, to be bound by the laws of Travancore, and to submit to the jurisdiction of the Courts ; but that undertaking must be read by the circumstances of the time at which it was given. He could not forestall or exclude the operation of subsequent legislation, which has now intervened to alter his status.

6. It will, of course, be open to the Travancore authorities to take the necessary steps for bringing Mr. Liddell to trial before the Madras High Court, on his being liberated from undergoing his present sentence.

7. He could not, on trial before the High Court, successfully raise a plea of "*autrefois convict;*" as such plea does not hold good where the Court which first tried the accused was altogether without jurisdiction.

8. Under this view of the case, it becomes unnecessary to consider the other point raised by Mr. Liddell—his claim to be released because he has been carried into British territory. It may suffice to say that I do not think there is anything in it.

28th September 1868.

(Signed) J. B. NORTON,
Advocate General.

No. 3. ORDER THEREON, 5th October 1868, No. 217.

In the petition above recorded, Mr. Liddell, a European British subject in the service of the Travancore Government, and who was recently sentenced by the Sudder Court of that State to one year's simple imprisonment, on a charge of "theft and fabricating false evidence to conceal the same," claims to be released—

1st.—On the ground that he was, after conviction, removed beyond the jurisdiction of the Travancore Sircar to British Cochin; that this detention in British territory was illegal; that he was then and there entitled to release; and that his being taken back against his will to Travancore was also illegal.

2nd.—Further, he pleads that the whole of the Proceedings of the Travancore Sudder Court were illegal, as, under the Notification of the Governor General in Council, dated 10th January 1867, No. 221, the Courts of Travancore have no jurisdiction over European British subjects of Her Majesty being Christians.

2. The Government do not consider it necessary to examine Mr. Liddell's first objection, because, as advised by the Advocate General, they are satisfied that the objection raised by Mr. Liddell to the jurisdiction of the Travancore Court is valid, that his trial by that Court was illegal, and that he is entitled to be released from custody.

3. Although, prior to 1867, it has been repeatedly declared, with the sanction of the Supreme Government, that British subjects, not Government servants, residing in Travancore do so under the condition that they shall be subject in every respect to the laws of Travancore, and in Mr. Liddell's case this condition was notified when permitting him to reside in Travancore, the Notification of the Governor General, extending the jurisdiction of the Madras High Court to Travancore in the cases of European Christian British subjects, has removed this class of foreign residents in that State from the action of the Criminal Courts of the Travancore Government.

Dated 10th January 1867, No. 221.

4. The Governor in Council resolves that these Proceedings and the opinion of the Advocate General above recorded be communicated to the Resident, and that he be instructed to call the attention of the Travancore Government to the Proclamation of the Governor General of India in Council, dated 10th January 1867, No. 221, under which the trial of Mr. Liddell, a European Christian British subject, was illegal, and to request that immediate orders be issued for Mr. Liddell's release.

5. The Resident will also invite the attention of the Travancore Government to paragraphs 6 and 7 of the Advocate General's opinion, in which it is stated "that it will be open to the Travancore authorities to take the necessary steps for bringing Mr. Liddell to trial before the Madras High Court, on his being liberated from undergoing his present sentence, and that he could not on trial before the High Court successfully raise a plea of "*autrefois convict,*" as such plea does not hold good where the Court which first tried the accused was altogether without jurisdiction.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 4. Read the following letter from the Secretary to the Government of India, Foreign Department (Political), to the Secretary to Government, Fort Saint George ; dated Simla, 19th September 1868, No. 1060.

I am directed by His Excellency the Viceroy and Governor General in Council to forward a copy of a letter to the address of the Commissioner of Mysore, and to state that His Excellency in Council thinks it right to inform the Madras Government of the steps taken in empowering the Commissioner of Mysore to ask the opinion of the learned Advocate General of that Government ; and His Excellency in Council trusts that no delay or difficulty will be experienced in obtaining the advice and assistance of that gentleman on a matter on which a good legal opinion is highly important, but which, perhaps, does not come within the ordinary scope of his duties.

From the Secretary to the Government of India, Foreign Department (Political), to the Commissioner of Mysore ; dated Simla, 19th September 1868, No. 1059.

I have laid before the Viceroy and Governor General in Council your letters, No. 3018-130, dated 17th ultimo, and No. 3345-145, dated September 4th, with enclosures, relative to a demand for Rupees 37,702-7-0, on account of the estate of the late Maharajah of Mysore, against Messrs. Luchmenarain Chetty and Narasimmulu Chetty of Madras, and to a counterclaim for Rupees 1,59,500 lately set up by these gentlemen.

2. His Excellency in Council observes that in your opinion the matter is not likely now to be settled without the intervention of a Court of Law, and that there are difficulties attendant upon the prosecution of any suit for the recovery of the debt. Under these circumstances, His Excellency in Council considers that it will be very desirable to obtain the opinion and advice of the learned Advocate General of Madras. You are accordingly requested to put yourself in communication with the Honorable Mr. Norton, and, after furnishing him with all the facts necessary to the expression of an opinion, to ascertain whether he coincides in the views held by Mr. Brockman, the Solicitor to the Madras Government, to the effect that the Commissioner of Mysore should not openly appear as a party to the suit.

3. There are obvious political objections to any such course. If the Commissioner's title be contested, it will probably be partly on political grounds. If it should be admitted, it would be impossible to foresee the number and extent of the claims that might then be brought against that high authority by the creditors of the Maharajah. Mr. Norton should accordingly be asked to state his opinion whether Messrs. Lecot and Co., of Madras, could be made plaintiffs, and, if not, on whom the duty of prosecuting the claim should devolve, and, generally, what course should be pursued in the interests of Government and of the estate of the late Maharajah.

4. The Government of Madras, to whom Mr. Norton is subordinate, has been informed accordingly, that you have been empowered to seek his advice. Mr. Norton should, His Excellency thinks, be entitled to his fees for his opinion.

No. 5. ORDER THEREON, 5th October 1868, No. 218.

The Governor in Council directs that the foregoing letters be communicated to the Advocate General through the Government Solicitor.

2. The Government trust that it will be in the power of the Honorable Mr. Norton to comply with the wishes of the Governor General in Council.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 6. Read the following letter from the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 24th September 1868, No. 161.

Post Audit Department.

I have the honor to forward, for the orders of Government, in original, a docket, No. 734, dated 18th instant, with enclosure, from the Officer in charge of Her Majesty's Treasury, Bangalore, requesting payment of arrears of pension for eight months due to Meer Moorad Alikhan, a pensioner in the Two Lakh Fund. No explanation, it will be observed, is given by the pensioner of the cause of delay in drawing his pension; but the Superintendent, Ashtragram Division, says that the pensioner left his station without leave, and has only recently appeared before him to claim his pension.

2. I therefore consider the orders of Government are necessary before the claim for arrears can be admitted.

No. 7. ORDER THEREON, 7th October 1868, No. 219.

The Governor in Council is pleased to sanction the payment of the arrears of pension amounting to Rupees (181-13-4) one hundred and eighty-one, Annas thirteen, and Pice four, due to Meer Moorad Alikhan, and directs that he be informed that, in the event of his again absenting himself from his station without the permission of the Superintendent of the Ashtragram Division, he will be liable to a forfeiture of his pension for the period he may be absent.

(Signed) R. S. ELLIS,
Chief Secretary.

Read again letter from the Government Agent, Chepauk, dated 22nd October 1867, No. 270, and recorded in Proceedings of Government, dated the 5th November 1867, No. 303.

No. 8. Read also the following :—

No. 229.

Report called for by G. O., 5th November 1867, *No.* 303, *on the reported death of Carnatic Stipendiary Roshun Mafil, No.* 232.

Roshun Mafil, Carnatic Stipendiary No. 232, drawing Rupees 5 per mensem, left Madras for Vellore, on leave of absence, in the month of December 1866. She obtained the above leave of absence on security given by a qualified person that, should her death take place during her absence, the lapse should be duly reported. In the month of March 1867, the security was informed (by her Vakeel) of her death, which he reported to this office, and the Stipendiary's name was struck out of the Register accordingly. In the month of October 1867, however, the Stipendiary presented herself in Madras, and was identified by the two Humaumees attached to this office, and by two Carnatic Stipendiaries, No. 11 Gholam Mahomed Ali and No. 202 Gholam Nubbee-Oollah-Ahmed, drawing Rupees 10 and Rupees 35 per mensem, respectively.

2. Roshun Mafil's Vakeel states, in explanation of his erroneous report, that a woman called Roshun died at Vellore at the time spoken of, and that he was misled by the similarity of names into supposing that the deceased person was Roshun Mafil.

(Signed) R. S. WILSON,
Government Agent, Chepauk.

CHEPAUK, 29*th September* 1868.

To the Chief Secretary to Government, Fort Saint George.

No. 9. ORDER THEREON, 7th October 1868, No. 220.

Under the explanation now afforded by the Government Agent, Chepauk, the Government sanction the re-entry of the name and pension of Carnatic Stipendiary, No. 232, Roshun Mafil, in the Agency Books.

2. The Government observe that a delay of more than ten months has occurred in replying to their Order dated 5th November 1867, No. 303, and that, in consequence, Roshun Mafil has been deprived of her pension during the whole of this time.

3. It was the duty of the Agent, in submitting the case, to have furnished the Government with the reasons of this delay, which, unexplained, is discreditable to his office.

4. Colonel Wilson will, at once, submit such explanation as he may have to offer on the subject.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 10. Read the following letter from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, to the Chief Secretary to Government, Fort Saint George; dated Madras, 21st September 1868, No. 5.

In reply to Mr. Under Secretary Walker's Official Memorandum, No. 320, of the 17th instant, I have the honor to state, for the information of Government, that I hope to submit my report on the claims filed before me against His Highness Prince Azeem Jah Bahadoor by the end of February next.

2. I regret that I am unable to name an earlier date, but the time occupied in searching the records in the Carnatic Agency Office connected with these claims is longer than I was led to expect. In my letter of May last, applying for leave, I stated that the information required from Colonel Wilson's Office concerning the petty claims could not, I was informed, be furnished me before the middle of October. It is now evident that it cannot be supplied before the end of November.

3. This delay is owing to the necessity for searching in the records for almost every one of the later claims, instead of for only one out of four as among the first 1600 claims. The Persian Record-keeper in the Carnatic Agency Office, on whom I depend for this information, has moreover been engaged in his own office in the examination of petty claims against the estate of the late Nawab. I have been continually urging him to the completion of the work connected with this Commission, but have no reason to think that it has been neglected.

4. There still remain 1273 petty claims to be reported on by him to me after inspecting the records. This may, I trust, be effected by the end of November. He has then to furnish further information connected with the petty claims which are included in Tunkee Cutcherry bonds—that should be completed before Christmas.

5. In the meanwhile, I shall be proceeding with the examination of such of the above claims as require further investigation, but I cannot expect to complete these inquiries, and to report in full on the result of them, within a shorter period than two months after receiving the information required from the Carnatic records.

6. I have, therefore, fixed on the end of February next as the earliest period, when I may reasonably expect to have concluded my present inquiries, or sufficiently so at least to enable me to lay the whole subject before Government, leaving the filling in of minor details to a supplemental report.

No. 11. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 9th October 1868, No. 221.

With reference to the concluding sentence of your letter, dated the 2nd ultimo, No. 2223, I am directed to transmit copy of a letter* from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, from which it will be seen that he does not expect to be able to

* Dated 21st September 1868, No. 5.

complete his inquiries and to submit his report thereon prior to the end of February 1869. The establishment assigned for the office of the Commissioner cannot, therefore, be dispensed with until after that date.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 12. Read the following letter from the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 3rd October 1868, No. 1050.

Presidency Audit Department.

I have the honor, with reference to Proceedings of Government, No. 9, dated the 11th January 1866, Pension Department, and in accordance with the requisition contained in letter from the Government Agent at Chepauk, No. 222, of the 23rd ultimo, to request that application may be made to the Resident at Hyderabad for his sanction to the transfer to that station of the payment of the Carnatic Stipendiary, No. 3903, Abdool Ally, at Rupees (5) five only per mensem, and for the issue of the necessary authority to the Deputy Accountant General, Hyderabad, to grant the requisite Permanent Payable Order on the Treasury Officer for the payment of the pension during the life of the Stipendiary.

2. I have further to request that the Resident at Hyderabad may be asked to arrange for the Existence Roll of the Stipendiary being, on the 1st January of each year, forwarded to the Government Agent at Chepauk.

3. I enclose, for transmission to the Resident, the copy of the Leave Rules, Permanent Payable Order, Repeated Sheet List, and Last Pay Certificate, received from the Government Agent, who states that duplicates of the last two documents have been delivered into the Stipendiary's hand, in view to facilitate his identification.

4. The pensioner should, in the presence of the Treasury Officer, sign the Treasury Officer's bill in his name.

No. 13. To the Resident at Hyderabad, dated Fort Saint George, 12th October 1868, No. 222.

I am directed by the Governor in Council to transmit the annexed copy of a letter from the Accountant General, regarding the transfer of Carnatic Stipendiary Addool Ally, No. 3903, and to request that, if you see no objection to the arrangement, you will be good enough to sanction the payment at Hyderabad of the Stipendiary's pension of Rupees (5) five per mensem.

2. I am also to request that you will issue the necessary instructions to the Deputy Accountant General, Hyderabad, to grant a Permanent Payable Order on the Treasury Office for the payment of the pension, and to forward the Existence Rolls to the Government Agent, Chepauk, on the 1st of January each year.

3. The pensioner should himself sign the Treasury Officer's bill in the presence of the Treasury Officer, or a person accredited by him.

4. The copies of the Leave Rules, &c., received with the letter from the Accountant General, are herewith forwarded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 14. Read the following Proceedings of the Government of India, Financial Department, dated Simla, 25th September 1868, No. 2600.

Read endorsement in the Foreign Department, No. 936, dated 26th August 1868, transferring, for disposal, the following Political Despatch from the Right Honorable the Secretary of State for India :—

From the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council ; dated India Office, London, 23rd July 1868, No. 122 (Political).

Having considered in Council the letter of your Excellency's Government, in the Financial Department, No. 129, dated 18th May 1868, forwarding a Memorial from Goolam Russool, Goolam Ahmed, and Goolam Ahmed Ghouse, appealing against the refusal of the Madras Government to continue to them the stipend of their late mother, Kader-oon-Nissa Begum, I am of opinion that Memorialists have adduced no grounds for the continuance to them of the whole or any portion of the stipend in question, and therefore concur with your Excellency in upholding the decision of the Madras Government.

ORDER.—Ordered that a copy of the foregoing be forwarded to the Government of Madras with reference to its letter, No. 87, dated 1st April 1868.

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt. of India.

No. 15. ORDER THEREON, 12th October 1868, No. 223.

Ordered that a copy of the foregoing despatch be forwarded to the Government Agent, Chepauk, for communication to Goolam Russool Khan and his brothers, with reference to their Memorial dated the 21st March last.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 16. Read the following letter from AMATOOL FATIMAH BEGUM, the eldest daughter of SYF-OOL-MOOLK BAHADOOR, late a Carnatic Stipendiary, Madras, to the Chief Secretary to Government, Fort Saint George ; dated 23rd August 1868.

I respectfully request that your honor will procure me the transmission of my enclosed Memorial to His Excellency the Right Honorable the Secretary of State for India. From a perusal of my Memorial your honor will perceive that, whilst my four sisters have pensions allotted them from my late father's stipend, I alone have been excluded from a participation of it, on the ground that my husband was a Carnatic Stipendiary. Thirteen years ago he commuted his stipend, but from some unfortunate speculation of his lost the entire commuted amount, and is now a mendicant. Meanwhile, I have five children to support, which I am utterly unable to do in my present destitute circumstances. I would very respectfully ask if I am not as much entitled to a portion of my deceased father's allowance as my three sisters. Under all the circumstances submitted in my Memorial, I respectfully solicit that you will be graciously pleased to procure a favorable recommendation from Government to Her Majesty's Secretary of State for India, in order that that august authority may confer a pension on me.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA IN COUNCIL,

EAST INDIA HOUSE,
London.

The humble Memorial of AMATOOL FATIMAH BEGUM, the eldest daughter of SYF-OOL-MOOLK BAHADOOR, late a Carnatic Stipendiary.

MOST HUMBLY SHEWETH,

That in humbly presuming to address your august authority relative to her claim to a participation in a portion of the stipend enjoyed and allowed by her late father Syf-ool-Moolk Bahadoor, Memorialist would very respectfully solicit the kind and favorable attention of your Excel-

lency to the following brief statement of her case, from a consideration of which she fervently trusts your Excellency will admit that she has been unjustly kept out of her rightful claim.

2. Memorialist's father was on the receipt of a pension, as a Carnatic Stipendiary, of Rupees 506 per mensem. On his demise Rupees 130 were apportioned among his widows and daughters, with the exception of Memorialist, on the ground of her husband having been a Carnatic Stipendiary.

3. The gross injustice of this very partial order will be at once apparent to your Excellency by a glance at the following :—As above stated Rupees 130 of her deceased father's pension were distributed among his wives and daughters. Of this to her uterine sister, Kareem-oon-Nissa Begum, Rupees 6-8-0 per mensem were given, though her husband, Goolficar Alli, is a Carnatic Stipendiary, and in the enjoyment of Rupees 12 a month ; and Rupees 8-4-0 to her other sister, named Mahomed-oon-Nissa Begum, the wife of Ifticar-ool-Dowlah. In like manner a pension has been conferred on another of Memorialist's half-sister, Afiz-oon-Nissa Begum, whose mother-in-law is a Carnatic Stipendiary on the receipt of Rupees 100 per mensem ; still more especially Memorialist would refer to the case of Kateeja Begum, a nickah daughter of Memorialist's father, has also had a pension conferred on her, though she left her father's protection in company with her mother, who became the nickah wife of Kaja Hoossain, a very affluent man, and whose wealth is more than sufficient to support his step-daughter, said Kateeja Begum.

4. Here Memorialist would beg to submit that there is nothing dissimilar in the cases of her four aforementioned sisters and that of herself. They had no better or superior claim than she had, two of whom have their husbands living, while the other is a widow, and the other unmarried, whilst all of whom are well provided for. Why make this invidious distinction between her and her sisters ? This treatment of her she cannot but represent is both harsh and unjust, and it is for your august authority to put her in possession of her undoubted rights.

5. On bringing her claim to the notice of the local Government, Memorialist was informed by an endorsement on Petition, No. 342 of 1868, under date the 16th June 1868, that "the Government concur with the Agent that petitioner's husband having commuted his stipend and dissipated the money has no claim whatever on Government." Here Memorialist would respectfully ask, how does the misfortunes which befel her husband affect her claim to a participation in her father's pension ? Princely merchants frequently become bankrupts, and because her husband failed in his speculations, with the comparatively small amount of commutation, she should be denied her portion of allowance from her father's pension. Is this just ? Is it right ? Or how does this accord with the principle on which her three sisters were treated ? Had she or had she not equally a right with them to participate in her deceased father's stipend, irrespective of that previously received by her husband ? Memorialist would respectfully inquire if there is any rule precluding the wives of Carnatic Stipendiaries, who may have commuted their stipends and dissipated the amount, from enjoying allowances due to them in virtue of their rights on the parental side ?

6. Furthermore, it is now 13 years since Memorialist's husband commuted his pension, the entire proceeds of which he speedily lost on unfortunate speculations. The very house he possessed has been sequestrated by his creditors, from whom he had to borrow for the support of his family. He is now literally a mendicant, living on the precarious bounty of the Mahomedan community. Meanwhile Memorialist has the burden of the support of five young growing children, and how is it possible for her to do this in her present destitute and miserable circumstances.

7. From the first Memorialist should have enjoyed her share in common with the other daughters of her deceased father, agreeably to the Despatch of the late Honorable the Court of Directors of the 11th March 1846 ; the pension to which she is entitled out of her father's stipend should be rightfully continued to her, she being a lineal and not a collateral descendant. And besides,

agreeably to Lord Clive's Minute of the 29th September 1801, and the Court's Despatch of the above date, a gradual reduction only should be made in the case of Carnatic Stipendiaries, that is to say, only the personal expenses of the deceased Stipendiary should be deducted, and the balance continued to the surviving heirs. In the case of Memorialist's father, however, more than three-fourths of his stipend has been resumed whilst Memorialist is totally denied even the barest pittance from it.

8. On again preferring her rights to Government, representing that she was not claiming anything out of her husband's stipend, but out of that of her father, she received the following dissatisfactory endorsement on her Petition, No. 1466 of 1868, dated 28th July 1868 :—" The " Government decline to grant petitioner any allowance from the stipend of her late father."

9. Your Excellency will be pleased to observe that no reason is assigned for Government declining to grant Memorialist any allowance from the stipend of her late father. On what grounds did they grant allowances to her four sisters, who are not so indigent as Memorialist, and why refuse to give her her portion ? As already shown, her father enjoyed a pension of Rupees 506-10-7, out of which Rupees 130 alone were bestowed on all his descendants with the exception of Memorialist, and the balance of Rupees 376-10-7 reverted to Government, and it is for your Excellency to judge whether Government will be any losers by granting her the small pittance fairly due to her.

10. From a consideration of the foregoing, your Excellency cannot but perceive that Memorialist has been very harshly and unjustly dealt with. Her husband has no means of supporting her, much more her poor unfortunate five children. She is in the most destitute and wretched condition, and she therefore most humbly and respectfully solicits your Excellency to take her pitiful case into merciful consideration, and in view of her just claim to pass an order that her due portion out of her deceased father's stipend may be continued to her. And Memorialist, as in duty bound, shall ever pray.

علامت نشانی امة الفاطمه بیگم

No. 17. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 15th October 1868, No. 224.

I am directed by the Governor in Council to forward, for transmission to the Secretary of State, a Memorial from A. Fatimah Begum, eldest daughter of Syf-ool-Moolk Bahadoor, late a Carnatic Stipendiary, in which she appeals against the Order of this Government, dated July 28th, 1868, declining to grant her a portion of the stipend formerly enjoyed by her father.

2. Gholam Abbass Ali, otherwise styled Syf-ool-Moolk, was in receipt of a pension of Rupees 506-10-7½ per mensem. On his death in 1866, a sum of Rupees 130-4-0 was granted to certain members of his family who had been dependent on him and were in indigent circumstances. The Memorialist, however, received no share of this allowance, because her husband, who is still living, had previously been in receipt of a stipend of Rupees 20 per mensem, which stipend he had been allowed, in 1855, under exceptional circumstances, to commute for a lump sum of Rupees 2,520. This money, it appears, he subsequently lost by speculation.

3. As the Memorialist's husband has received the full value of his stipend, neither he nor his family can have any further claim upon the liberality of Government. His Excellency the Governor in Council has, therefore, no recommendation to make in favor of Memorialist.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 18. From His Excellency the Commissary General of Marine, and Governor of the French Settlements in India, to His Excellency the Right Honorable the Governor of the Presidency of Fort Saint George; dated Pondicherry, 2nd October 1868, No. 17.

GOUVERNEMENT
des Etablissements Français
dans l'Inde

ADMINISTRATION
de l'Ordonnateur.

No. 17.

MONSIEUR LE GOUVERNEUR,

Au sujet du paiement trimestriel de la rente des 4 lacks.

J'ai l'honneur de prier Votre Excellence de vouloir bien prescrire les dispositions nécessaires pour que la somme de cinquante mille roupies Sicca formant la moitié du 3e. terme de la rente de 4 lacks due à la France par le Gouvernement Britannique, pour l'année courante, soit payée, à son échéance, à Goudelour, à Mr. le Trésorier-Payeur des Etablissements de l'Inde, sous déduction de la traite que j'ai demandée à Votre Excellence par ma lettre du 16 Septembre dernier, dont l'émission vient d'etre autorisée.

Referred to the Accountant General for early report.

FORT SAINT GEORGE,
13th October 1868.

(Signed) C. G. WALKER,
Under Secy. to Govt.

No. 19. No. 182.

ENDORSEMENT.

Budget and Resource Department.

The Accountant General has the honor to report that the Collector of South Arcot has this day been instructed to pay from the Treasury at Cuddalore to the Treasurer of the French Government the sum of Sicca Rupees fifty thousand, being a moiety of the third instalment now due of the rent payable to France for the year 1868, under Treaty, dated 7th March 1815, after deducting any advances made on that account.

FORT SAINT GEORGE,
13th October 1868.

(Signed) F. LUSHINGTON,
Accountant General.

To the Chief Secretary to Government, Fort Saint George.

No. 19A. To His Excellency the Governor of the French Settlements in India, &c., &c., &c., dated Fort Saint George, 15th October 1868, No. 225.

In the absence of Lord Napier from Madras, I have the honor to acknowledge the receipt of your Excellency's letter of the 2nd instant, No. 17, and to acquaint you that the necessary orders have been issued for the disbursement at Cuddalore of the sum of Sicca Rupees (50,000) fifty thousand, being a moiety of the third instalment of the rent due to France for the year 1868, after deducting the advances made on that account.

Accept Sir, &c.,

(Signed) H. D. PHILLIPS.

Read the following papers :—

No. 20. Telegram from the Dewan of Travancore, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 13th October 1868.

The following is copy of a Telegram I am sending to British Resident at Cape Comorin, and which copy I submit to you direct, to save time in case it should lead to any modification of views of Government in Liddell's case.

Copy.—"Were Madras Government and its Law Officers aware, at the time of forming their judgment in Liddell's case, that Liddell at trial itself waived what he considered his right to be tried by British Court, and expressly submitted to jurisdiction of Travancore Court? Advocate General's opinion would seem to show they were not aware. Would not this circumstance, when made known, possibly modify the view expressed by Madras Government?"

Early reply requested towards further action.

Referred for the opinion of the Honorable the Advocate General.

FORT SAINT GEORGE,
14th October 1868.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 21. *In re LIDDELL.*

The point now brought for the first time to the notice of Government by the Dewan of Travancore would not have made any difference in my opinion, had I been aware of it when the papers were before me.

2. The Proclamation of the Governor General does not confer upon the High Court a *concurrent* jurisdiction with the Courts of Travancore. It takes away from these Courts all jurisdiction over British subjects, being Europeans and Christians, and confers an exclusive jurisdiction over such class upon the High Court

3. Mr. Liddell could not restore to the Travancore Courts, by any acquiescence on his part, what the law had formally taken away. Courts of Justice are supposed, in theory, to know, and it is the duty of every Court to hold its hand the moment that its want of jurisdiction appears.

4. For these reasons, I am still of opinion that the trial of Mr. Liddell by the Travancore Court is, notwithstanding his personal waiver, a nullity.

17th October 1868.

(Signed) J. B. NORTON,
Advocate General.

No. 22. ORDER THEREON, 19th October 1868, No. 226.

Copy of the Advocate General's opinion will be forwarded to the Resident in Travancore, for his information and for communication to the Travancore Sirkar.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 23. Read the following Proceedings of Government in the Military Department, dated 13th October 1868, No. 4017.

Communicating sanction of Home Government to the admission to pension, as a special case, of Serjeant Bourke, late Quarter Master Serjeant in the Nair Brigade.	(Vide Proceedings, Military Department, dated 13th October 1868, No. 379).

No. 24. ORDER THEREON, 19th October 1868, No. 227.

Communicated to the Resident in Travancore and Cochin.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 25. Read the following letter from the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 7th October 1868, No. 1060.

Presidency Audit Department.

I have the honor, with reference to Proceedings of Government, No. 9, dated the 11th January 1866, Pension Department, and in accordance with the requisition contained in letter from the Government Agent at Chepauk, No. 225, of the 28 ultimo, to request that application may be made to the Resident at Hyderabad for his sanction to the transfer to that station of the payment of the Carnatic Stipendiary, No. 1125, Rahmanee Beebee, at Rupees (4) four only per mensem, and for the issue of the necessary authority to the Deputy Accountant General, Hyderabad, to grant the requisite Permanent Payable Order on the Treasury Officer for the payment of the pension during the life of the Stipendiary.

2. I have further to request that the Resident at Hyderabad may be asked to arrange for the Existence Roll of the Stipendiary being, on the 1st January of each year, forwarded to the Government Agent at Chepauk.

3. I enclose, for transmission to the Resident, the copy of the Leave Rules, Permanent Payable Order, Repeated Sheet List, and Last Pay Certificate, received from the Government Agent, who states that duplicates of the last two documents have been delivered into the Stipendiary's hand, in view to facilitate his identification.

4. The Pensioner should, in the persence of the Treasury Officer, or of a person accredited by him, sign the Treasury Officer's bill in his name.

No. 26. To the Resident at Hyderabad, dated Fort Saint George, 21st October 1868, No. 228.

I am instructed by the Governor in Council to forward the annexed copy of a letter* from the Accountant General, regarding the transfer of a Carnatic Stipendiary, Rahmanee Beebee, No. 1125, and to request that, if you see no objection to the arrangement, you will be good enough to sanction the payment at Hyderabad of her pension of Rupees (4) four per mensem.

* Dated 7th October 1868, No. 1060.

2. I am also to request that you will issue the necessary instructions to the Deputy Accountant General, Hyderabad, to grant Permanent Payable Orders on the Treasury Officer for the payment of the pension, and to forward the Existence Rolls to the Government Agent, Chepauk, on the 1st of January of each year.

3. The Pensioner should herself sign the Treasury Officer's bill, in the presence of the Treasury Officer, or of a person accredited by him.

4. The copies of the Leave Rules, &c., received with the letter from the Accountant General, are herewith forwarded.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 27. From the Under Secretary to the Government of India, Foreign Department, (General,) to the Chief Secretary to Government, Fort Saint George; dated Simla, 18th May 1868, Circular No. 869.

I am directed by the Governor General in Council to draw attention to the Circular letter from this office, No. 1478, dated 30th August 1867, regarding the measures proposed by the Home Department for checking the spread of epidemic disease among pilgrims from Native States, and to request that an expression of the opinion therein called for may be submitted with as little delay as practicable.

No. 28. From the Under Secretary to the Government of India, Foreign Department, (General.) to the Chief Secretary to Government, Fort Saint George ; dated Simla, 20th May 1868, No. 877.

I am directed to draw the attention of His Excellency the Governor in Council to this office letter, No. 1468, dated 30th August last, regarding the adoption of sanitary measures, both in British Territory and in the Native States under the Madras Government, towards checking the spread of epidemic disease from the various centres of pilgrimage in India ; and to request the early submission of the report therein called for.

No. 29. From the Secretary, Sanitary Commissioner for Madras, to the Under Secretary to Government ; dated Madras, 6th June 1868, No. 585.

In the absence of the Sanitary Commissioner I have the honor to acknowledge receipt of your Memorandum, No. 202, dated yesterday (received this day).

Enclosures 3.

2. The Cholera Committee will not be able to submit the report before ten days from this time, when it will, I hope, be completed in manuscript. It has been much delayed by the great difficulty experienced in collecting the returns required, by numerous changes in the constitution of the Committee and other causes, which will be found detailed in the report.

3. I now forward, as requested, the letter from the Resident at Travancore, dated 30th November, together with its accompaniments.

No. 30. From the President of the Cholera Committee, to the Under Secretary to Government, Fort Saint George ; dated Madras, 24th June 1868, No. 649.

With reference to your Memoranda, No. 202 and 213, dated respectively 5th and 18th current, and the reply of the Secretary to the Sanitary Commissioner to the former communication, I have the honor to state that since the nomination of the Honorable Mr. Ellis to be Chief Secretary to Government I have become President of the Cholera Committee.

2. I have to express regret that so long a time has elapsed since the original constitution of this Committee, whose report is now under final revision, and will be submitted in a few days being now in course of printing.

3. In explanation of the delay which has unavoidably occurred in the preparation of this report, I desire to explain, for the information of Government, that only a short time has elapsed since the receipt of the detailed information considered to be requisite for our guidance, and that the protracted illness of Dr. Montgomery (who has been good enough to act as our Secretary) has caused some delay in the preparation of the voluminous Abstract Return accompanying the report

4. I have also to explain that G. O., No. 1478, dated 21st September 1867, referred only to he report upon pilgrimages, which was submitted by this Committee under date the 4th December 1867.

No. 31. From the Officiating Under Secretary to the Government of India, Foreign Department, (General,) to the Chief Secretary to Government, Fort Saint George ; dated Simla, 21st August 1868, No. 1 91.

With reference to the entry in the statement of unanswered references from the Government of India for the 2nd quarter ending 30th June last, I am directed by His Excellency the Viceroy and Governor General in Council to request that the Sanitary Commissioner may be asked to expedite the submission of his report regarding the adoption of sanitary measures for the prevention of the spread of epidemic disease from the various centres of pilgrimages in India.

Referred to the Committee appointed under G. O., No. 216, dated the 27th February last.

FORT SAINT GEORGE,
9th December 1867.

(Signed) R. S. ELLIS,
Chief Secretary.

To the Inspector General, Indian Medical Department.

No. 32. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 30th November 1867, No. 59.

I have the honor to acknowledge the receipt of the Proceedings of Government, No. 268, dated the 21st September last, regarding the adoption of sanitary measures calculated to prevent the spread of epidemic diseases from the various centres of pilgrimage in India, and, in reply, to state that the same has been duly communicated, as requested, to the Dewans of Travancore and Cochin. I now beg to forward, for the information of His Excellency the Right Honorable the Governor in Council, the accompanying copies of their reports, No. $\frac{3970}{\text{M } 1137}$ and 610, dated respectively the 11th ultimo and 11th instant, on the subject.

2. It will be perceived that in Travancore there are few occasions on which very large bodies of people concentrate for purposes of pilgrimage or other religious objects, the gatherings varying from one to ten thousand people; and cholera has not on such occasions prevailed to the extent to which it has in other localities. The Travancore Sirkar, however, proposes certain measures to be adopted at places of large assemblage, and is prepared to appropriate the requisite funds from the general revenue.

3. In Cochin, although there are annually several great festivals and the assemblage large, cholera has not prevailed with any violence on those occasions. That Sirkar also will be prepared to adopt sanitary measures on these occasions.

4. The copies of the report of the Committee appointed, under date the 27th February last, to consider and advise Government as to the arrangements that should be made for giving practical effect to the recommendations and suggestions of the British Cholera Commissioners, as promised in paragraph 2 of the Order of Government dated 21st September last, will be acceptable for directing the measures to be adopted in these States.

From the Dewan of Travancore, to the British Resident in Travancore, &c., &c., &c.; dated Trevandrum, 11th October 1867, No. $\frac{3970}{\text{M } 1137}$.

I have the honor to acknowledge the receipt of your letter, No. 747, of the 2nd instant, together with its enclosures.

2. In Travancore there are happily few occasions on which very large bodies of people concentrate for purposes of pilgrimage or other religious objects. It is needless to inquire into the reason of this, but it is a fact.

3. Still, gatherings, varying from one to ten thousand people, are by no means uncommon.

4. Cholera does not prevail on such occasions in Travancore to the extent to which it does on the Eastern Coast, the chief reasons being——

I. That the assemblage is not very large.

II. That the people assembling come from comparatively short distances, and are not, therefore, in a state of health, arising from fatigue, privation, and exposure, predisposed to disease.

III. That they make but a short stay—such stay often being but for a day, and seldom extending to more than ten days.

IV. That they are generally more cleanly in their habits, as they not unfrequently bathe twice a day, and use clothes washed clean by professional washermen.

V. That the houses in which they sojourn are situated, not close to each other, but generally in isolated positions, with plenty of space around each house.

5. It is now happily several years since cholera visited Trevandrum, though the two festivals in the Pagoda here attract pretty large numbers.

6. Still, it is not meant that precautionary measures against the formidable epidemic may be altogether dispensed with.

7. Nothing particularly worthy of notice has been hitherto done in this direction; but, now that the necessity of preventive arrangements is rendered more intelligible, this Sirkar is prepared to take action.

8. I am strongly convinced that it would be very impolitic to make any attempt to deter the assemblages of the people. The feelings which actuate their concentration are intense, and cannot but be respected by a prudent and tolerant Government.

9. Nor do I deem it, at present, at all expedient to attempt any special taxation to meet the expenses attendant upon efforts to enforce proper sanitary arrangements on the occasion of large gatherings in connexion with religious festivals, &c. The object of such taxation is certain to be misunderstood by the great bulk of the people, whose contentment is not the less desirable on account of their ignorance of such matters.

10. I would, at the outset at least, meet such expenses from the general revenues. Let the people concerned by all means actually see and feel the benefit of the special arrangements made at large gatherings. Let them also see that the benefit costs something. Then, and not before, could they be called upon, without much chance of the object being misunderstood, to contribute specially to the cost of such benefit.

11. Meanwhile, the policy of drawing upon the general revenues for the object in question cannot be open to any very appreciable objection. Almost all the people of the country resort to some shrine or other centre. The contentment of the great body of people is an object of general importance. And, lastly, the preventive measures to be adopted are designed for the benefit—not only of the people immediately assembling, but—of the whole body of the people in the country.

12. If the drain upon the general revenues on this account prove too large, our best policy would probably be to improve some existing source of taxation, in preference to devising a novel tax; unless, indeed, the people become sufficiently prepared for special taxation after actually experiencing the good of the measures adopted at places of large assemblage.

13. As matters are situated in Travancore, the Sirkar is prepared to appropriate the requisite funds from the general revenues at this early stage of the efforts for the prevention of cholera, reserving to itself the discretion of arranging matters hereafter, if necessary, upon some other basis.

14. The plan of the action which seems to me the best suited is the following:—

I. That a Medical Subordinate be specially detached to each place of considerable assemblage some time before the gathering of the people. He is to be fully equipped with the requisite medicines, &c., for treatment of disease.

II. That such Subordinate be charged with the duty of enforcing proper cleanliness on the spot, aided by the Police of course.

III. That special scavengers be engaged for the occasion.

IV. That places be set aside for necessaries, and that cleanliness be specially enforced here.

V. That printed notices be fully circulated to the assembled people, warning them against those breaches of sanitary laws which lead to disease.

VI. That if, in spite of these and other precautions, cholera should unfortunately break out, the people be advised, by proclamation, to disperse, which I am sure they can be persuaded to do.

From the Dewan of Cochin, to the British Resident in Travancore and Cochin; dated Ernacollum, 11th November 1867, No. 610.

I have the honor to acknowledge the receipt of your letter, No. 748, of the 2nd ultimo, forwarding copy of a communication from the Supreme Government to the Government of Madras, No. $\frac{55}{3764}$, of the 21st August last, and of the Proceedings of the Madras Government, No. 268, dated 21st September last, on the subject of adopting preventive measures against the serious outbreak of epidemic diseases, and requesting me to furnish you with the required information.

2. I beg, in reply, to state that the great centres of assemblage in Cochin for Hindoo religious festivals are Cranganore, Erinjalacooda, and Tripoonitorah. At Cranganore, there are two great annual festivals—one designated Meenabhurny, which takes place in March or April, and the other Thalapaly which is celebrated in January.

3. The great annual festival in the Erinjalacooda Pagoda is the Oolsavom, which is celebrated in April or May; and there is also a festival, designated Oolsavom, in the Tripoonitorah Pagoda, which is celebrated in November or December.

4. A great Roman Catholic festival is celebrated annually in a Church on the Mulliatoor Hill in March or April.

5. I am not aware that, on these occasions of assemblage, cholera has at any time prevailed with any violence.

6. However, on receiving a copy of the report of the Committee alluded to in the 2nd paragraph of the Order of Government, I shall be ready to adopt such precautionary measures as may be deemed advisable for the prevention of cholera or any other epidemic.

No. 33. To the Resident in Travancore, and Cochin, dated Fort Saint George, 22nd October 1868, No. 229.

With reference to your letter, dated the 30th November last, No. 59, I am directed to transmit three copies of the Report of the Cholera Committee,* together with copies of the Proceedings of Government thereon, and to request that you will be good enough to press on the Sirkars of Travancore and Cochin the advantage of their adopting in their States the measures recommended by the Committee, with such modifications as local circumstances may render necessary.

* Dated 23rd June 1868.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 34. To the Secretary to the Government of India, Foreign Department dated Fort Saint George, 22nd October 1868, No. 230.

I am desired to acknowledge the receipt of Mr. Under Secretary Girdlestone's letter, dated Simla, 21st August 1868, No. 1391, requesting that the Sanitary Commissioner may be asked to expedite the submission of his report regarding the adoption of sanitary measures for the prevention of the spread of epidemic diseases from the various centres of pilgrimages in India.

2. It will be seen from the enclosed Proceedings* that the report of the Sanitary Commissioner on the subject, with the remarks of this Government, was submitted to the Government of India on the 27th April 1868, but the special question of the adoption of the measures referred to in Native States was overlooked. I am to express the regret of Government at this omission, and to submit copies of the replies received from the Resident in Travancore and Cochin and from the Political Agent at the petty State of Poodoocottah†.

* Public Proceedings, 27th April 1868, Nos. 170—172.

† Proceedings, 14th January 1868, Nos. 15 & 16.

3. It will be seen from the Resident's report that in Travancore "there are few occasions on which very large bodies of people concentrate for purposes of pilgrimage or other religious objects, the gatherings varying from one to ten thousand people; and cholera has not on such occasions prevailed to the extent to which it has in other localities. The Travancore Sirkar, however, proposes certain measures to be adopted at places of large assemblage, and is prepared to appropriate the requisite funds from the general revenue.

"In Cochin, although there are annually several great festivals, and the assemblages are large, cholera has not prevailed with any violence on those occasions. That Sirkar also is prepared to adopt sanitary measures on those occasions."

The Resident adds:—"The copies of the report of the Committee appointed under date the 27th February last to consider and advise Government as to the arrangements that should be made for giving practical effect to the recommendations and suggestions of the British Cholera Commissioners, as promised in paragraph 2 of the Order of Government, dated 21st September last, will be acceptable for directing the measures to be adopted in these States."

4. The report of the Sanitary Commissioner has been forwarded, as requested by the Resident, and, from the enlightened character of the administration of both these Native States, there is every reason to be satisfied that the measures which have been found so successful at places of pilgrimage in this Presidency will be adopted by the Travancore and Cochin Sirkars.

5. The Agent at Poodoocottah reports that there are no places in that State which are centres of pilgrimage, or from which epidemic diseases have ever been known to spread.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 35. Read the following letter from the Officiating First Assistant Resident, Hyderabad, to the Chief Secretary to Government, Fort Saint George; dated Hyderabad, 13th October 1868, No. 782.

Financial.

In reply to your letter, No. 204, of the 22nd ultimo, requesting the sanction of the Resident to the payment at Hyderabad for six months of the pension of Munsoor Ally Khan Bahadoor, I am desired to state that such payment would involve the cancellation of the permanent Payable order the pensioner now holds, and application would have to be made to the Comptroller General of Accounts, Calcutta, for a fresh order on the Political treasury at Hyderabad, till the receipt of which, of course, no payments could be made.

2. This process would involve a delay of about two or three months, and a similar delay would occur on the pensioner's return to Kurnool.

3. Under these circumstances, the Resident would suggest as the more convenient course that the Collector of Kurnool should be instructed to remit the stipend monthly by means of a Money Order, on receipt of the usual life certificate which will be granted by this office.

No. 36. ORDER THEREON, 24th October 1868, No. 231.

Ordered that the Collector of Kurnool be instructed to adopt the suggestion contained in paragraph 3 of the foregoing letter from the Officiating First Assistant Resident, Hyderabad.

(Signed) R. S ELLIS,
Chief Secretary.

No. 37. Read the following letter from G. L. MORRIS, Esq., Collector of Tanjore, to the Chief Secretary to Government, Fort Saint George; dated Tanjore, 2nd October 1868, No. 859.

I have the honor to forward, herewith, for the perusal and orders of Government, copy of a letter, dated 22nd September 1868, from the late Civil Judge of Tanjore, to my address as Collector and Receiver in O. S. No. 16 of 1866.

2. In this letter, Mr. Bird states that he has "always felt that it would be desirable that the "Official Receiver and Manager of the Tanjore Raj Estate should have some personal remuneration "for the large amount of additional trouble which will certainly devolve on him," and also that he is of "opinion that the Collector of Tanjore, as Official Receiver and Manager, might, with "advantage to the Estate placed under his charge, be allowed a monthly remuneration, not exceed- "ing Rupees 250, should the Government see no objection thereto."

3. As the Civil Judge has been so good as to specify distinctly the harassing nature of my duties as Receiver, as well as the great importance which he attaches to my giving my personal attention and immediate supervision to the care, the preservation, and the distribution of the

large amount of property placed under my charge, I have only to remark that I shall be extremely gratified if the Government will permit me to receive a monthly allowance of Rupees 250 for my extra trouble and responsibility, and that they may rest assured that I will, in consequence, devote all the time which I can spare from my official functions to carrying out to the best of my ability the trusts which will devolve on me.

4. It is true that I receive a monthly allowance of Rupees 250 as Government Agent of Tanjore, and I also fully and freely allow that the work connected with this Agency is not so heavy as it was previous to 1862, when the Rajah's private property was restored to his widows; but, at the same time, I beg most respectfully to remind the Government that, shortly after my return to Tanjore from Canara in 1865, I was appointed Political Agent of Poodoocottah; that I have since then conducted this extra duty without any extra remuneration; and that, when I have remonstrated, I have been informed that I had no ground for complaint as my extra work as Political Agent of Poodoocottah only made up for what I should formerly have had to do as Government Agent. I do not think, therefore, that I can with any fairness be ordered to perform the duties of Receiver also without salary because I draw an allowance as Government Agent.

5. I beg, in conclusion, to state that the cost of the establishments kept up by Her Highness Kamakshee Boyee Sahiba during her management of the Raj property amounted to Rupees 3,411 a month, whilst the total cost of that which I purpose keeping (including my own salary as Receiver of Rupees 250 per mensem, and the pay of my Sheristadar, my two Tahsildars, and the Sirkele at Rupees 250 more) will not, at the outside, exceed 1,600 Rupees a month. I cannot now state exactly the monthly cost of all the establishment which will be necessary in future, as I have yet to dispose of a large quantity of moveable property and cattle, all of which requires the supervision of a number of servants, but I am sure that it will not exceed 1,600 Rupees a month, and should not be astonished if it did not come up to 1,500 Rupees.

From E. W. BIRD, Esq., Civil Judge of Tanjore, to the Collector and Receiver in O. S. No. 16 of 1866, dated Tanjore, 22nd September 1868, No. 658.

I have had the honor to receive your letter, No. 6, of the 21st instant, with its enclosure, on the subject of the proposed establishment for the management of the landed estate of His Highness the late Rajah of Tanjore. The cost of the whole, as exhibited in the statement, is Rupees 890-8-0 per mensem, being a percentage of 6 on the gross annual collections. I do not consider the establishment proposed in any way extravagant, and hereby sanction it.

2. In regard to the question raised in paragraph 6 of your letter under reply, I have always felt that it would be desirable that the Official Receiver and Manager of this large Estate should have some personal remuneration for the large amount of additional trouble which will certainly devolve on him should the Government permit him to receive it. There can be no doubt the amount of litigation which the Receiver will have to conduct in the local Courts will be large. It will be his duty to prosecute all claims due to the Estate unlawfully withheld by the debtors thereto, to defend all claims which may be made and which he may consider inadmissible. He will also, ere long, have to investigate and determine to what extent this Estate is really indebted, and whether the large sum put down to this account by Her Highness Kamakshee Boyee Sahiba is correct or not.

3. In addition to these duties, which will devolve on the Collector as Receiver and Manager, demanding his personal attention and consideration, there will be much that will require his immediate supervision in reference to the care, the preservation, and distribution of the large amount of moveable property placed under his charge. It will be impossible for the Receiver with safety to delegate his authority to his subordinates in regard to the immensely valuable jewels, precious stones, and the like, included in this description of the estate; and, consequently, as much of the Receiver's time as can be spared from his proper official functions will have to be devoted to carrying out the trusts which have devolved on him for the benefit of the Ladies in the Tanjore Palace.

4. With these views, I am of opinion that the Collector, as Official Receiver and Manager, might, with advantage, be allowed a monthly remuneration, not exceeding Rupees 250, should the Government see no objection thereto. It is clear that the allowance and other charges, which the employment of any one but the Collector as Receiver would necessitate, would be very far in excess of the entire amount now proposed as the cost of collection, and I consider the proposed monthly personal allowance to the Collector would be cheaply purchased when all the benefits which flow from his, as contrasted with any other private, management of the property are taken into consideration.

5. I beg I may be favored with a table showing the cost of the establishments you have already abolished, as stated in paragraph 2 of your letter under reply, in view to compare the cost of the late with that of the present management.

No. 38. ORDER THEREON, 24th October 1868, No. 232.

In their Order, No. 62, dated 15th March 1867, the Government approved of the Collector of Tanjore accepting the appointment of Receiver and Manager of the Estate of the late Rajah of Tanjore, in accordance with a decree of Court, O. S. No. 16 of 1866, removing the management of this property from Her Highness Kamakshee Boyee Sahiba.

2. In the letter above recorded, Mr. Morris, the Collector of Tanjore, submits a letter from the Civil Judge of Tanjore, in which, after sanctioning the establishment proposed for the management of the landed estate of the late Rajah of Tanjore, the Civil Judge adds that he has "always "felt that it would be desirable that the Official Receiver and Manager of the Tanjore Raj Estate "should have some personal remuneration for the large amount of additional trouble which will "certainly devolve on him," and also that he is "of opinion that the Collector of Tanjore, as "Official Receiver and Manager, might, with advantage to the Estate placed under his charge, be "allowed a monthly remuneration, not exceeding Rupees 250, should the Government see no "objection thereto."

3. Under the circumstances stated in the foregoing correspondence, the Governor in Council sees no objection to the proposed allowance of Rupees 250 per mensem being drawn by Mr. Morris as Receiver of the Estate of the late Rajah of Tanjore.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 39. Read the following letter from the Officiating Under Secretary to the Government of India, Foreign Department (Political), to the Chief Secretary to Government, Fort Saint George; dated Simla, 8th October 1868, No. 1157.

In reply to your letter, No. 199, dated 12th ultimo, I am directed to state that the Viceroy and Governor General in Council, on the recommendation of the Madras Government, will not refuse his consent to a re-distribution of the allowance to be made to Prince Azeem Jah's family after his death, as lately proposed by His Highness, and as specified in the statement submitted by you.

No. 40. ORDER THEREON, 28th October 1868, No. 233.

The Governor in Council directs that a copy of the letter above recorded, and of the letter and statement to which it is a reply, be furnished to the Government Agent at Chepauk, for communication to His Highness Prince Azeem Jah Bahadoor.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 41. Read the following despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor in Council, Fort Saint George; dated India Office, London, 16th September 1868, No. 6 (Political).

With reference to the arrangements, submitted in the letter of your Excellency's Government in this Department, dated 27th April (No. 1) 1868, respecting the apportionment,* on the death of Prince Azeem Jah, of the annual stipend of £15,000 among the members of His Highness' family, I transmit, herewith, copy of a despatch* on the subject which I have addressed to the Government of India.

* No. 152, dated 16th September 1868.

From the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council; dated India Office, London, 16th September 1868, No. 152 (Political).

I have considered in Council the letter of your Excellency's Government in the Foreign Department, No. 89, of the 27th May last, respecting the proposed allotment, after the death of His Highness Azeem Jah, of the annual stipend of £15,000 assigned to the Carnatic Family, and have to express my approval of the scheme of allotment submitted by His Highness, with the trifling modifications therein which were suggested by the Government of Madras.

2. A further communication will shortly be addressed to your Excellency on the subject of the title to be conferred on His Highness.

3. A copy of this despatch has been furnished to the Government of Madras.

No. 42. ORDER THEREON, 29th October 1868, No. 234.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 43. Read the following letter from the Officiating 2nd Assistant Resident, Hyderabad, to the Chief Secretary to Government, Fort Saint George; dated Hyderabad Residency, 20th October 1868, No. 807 (Financial).

In reply to your letter, No. 215, of the 30th ultimo, I have the honor to state that the Resident has consented to the payment at Hyderabad of the seven Carnatic Stipendiaries therein named, and that the Comptroller General of Accounts, Calcutta (not the Deputy Accountant General, Hyderabad), has been requested to issue fresh Permanent Payable Orders on the Political Treasury here.

No. 44. ORDER THEREON, 30th October 1868, No. 235.

Communicated to the Accountant General, with reference to his letter dated the 17th ultimo, No. 987.

(Signed) R. S. ELLIS,
Chief Secretary.

A

POLITICAL DEPARTMENT.

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POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of November 1868.

No. 1. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Cape Comorin, 8th October 1868, No. 52.

I have the honor to report, for the information and orders of Government, that Mr. Thomas Clarke has applied for permission to reside in the Travancore Territory, and that the Government of that State has no objection to his doing so.

No. 2. ORDER THEREON, 3rd November 1868, No. 236.

The Governor in Council has no objection to Mr. Thomas Clarke residing in Travancore with the permission of His Highness the Maharajah of Travancore.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 3. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Nagercoil, 14th October 1868, No.55

With reference to the Proceedings of the Madras Government, No. 158, of the 16th July last, I am desired by His Highness the Rajah of Cochin to convey to Government His Highness' best thanks for the two brass six-pounder guns, &c., presented by them to His Highness.

No. 4. ORDER THEREON, 3rd November 1868, No. 237.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 5. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 26th October 1868, No. 63.

I have the honor to forward, for the sanction of Government, the enclosed indent, in duplicate, for the supply, on payment, from the Arsenal at Madras of ammunition required for the use of the Nair Brigade of His Highness the Maharajah of Travancore.

No. 6. ORDER THEREON, 10th November 1868, No. 239.

The Inspector General of Ordnance and Magazines is authorized to arrange for the supply, on payment, of the gunpowder and other articles, specified in the indent referred to in the foregoing letter, required for the use of the Nair Brigade of His Highness the Maharajah of Travancore, as well as for their despatch by Railway to Shoranoor.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 7. Read the following letter from the Under Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort Saint George, dated Simla, 23rd October 1868, No. 3127.

In reply to your letter, No. 198, dated 5th September 1868, I am directed to state that His Excellency the Governor General in Council approves of the view taken by the Madras Government, that the prayer of the Memorialists should be rejected.

2. You are requested to cause the Memorialists to be so informed.

No. 8. ORDER THEREON, 10th November 1868, No. 240.

Ordered that a copy of the foregoing letter be forwarded to the Government Agent, Chepauk, and that he be directed to communicate the decision of the Government of India to Maharoon Nissa Begum and Shurfoo Nissa Begum in reference to their Memorial, dated the 5th May last.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 9. Read the following letter from the Officiating 2nd Assistant Resident at Hyderabad, to the Chief Secretary to Government, Fort Saint George; dated Hyderabad, 24th October 1868, No. 831.

Financial.

In reply to your letter, No. 222, of the 12th instant, I have the honor, by desire of the Resident, to state that he has consented to the payment at Hyderabad of the Carnatic stipendiary therein named, and that the Comptroller General of Accounts, Calcutta, has been requested to issue a fresh Permanent Payable Order on the Political treasury here.

No. 10. ORDER THEREON, 10th November 1868, No. 241.

Communicated to the Accountant General, with reference to his letter, dated the 3rd ultimo, No. 1050.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 11. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 28th October 1868, No. 64.

I have the honor to request that the Right Honorable the Governor in Council will be pleased to sanction the enclosed two indents for the supply, on payment, of the tunics, &c., and cloth for turbands, for the use of the Nair Brigade of His Highness the Maharajah of Travancore.

No. 12. ORDER THEREON, 10th November 1868, No. 242.

The Superintendent of Army Clothing is authorized to arrange for the supply, on payment, of the tunics, &c., specified in the indent received with the foregoing letter, for the use of the Nair Brigade of His Highness the Maharajah of Travancore, and for the transmission of the same.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 13. Read the following letter from the Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 20th October 1868, No. 255.

I have the honor to annex, for the sanction of Government, a list of arrears due to the servants pensioned by Proceedings of Government, No. 206, dated 22nd ultimo, &c., amounting to Rupees (9498-0-11) nine thousand four hundred and ninety-eight and Pice eleven, after deducting* the amount of gratuity disbursed to them.

*Extract Minutes of Consultation, No. 374, dated 9th June 1858, paragraph 6.

2. These arrears have been calculated agreeably to Extract Minutes of Consultation, Nos. 49 and 77, dated 18th and 28th January 1858, paragraphs 2 and 3, which direct that pensions granted for service shall commence from the date of the cessation of service.

3. This amount can be met from the Agency Budget of 1868-69, under the head of "Carnatic Stipends of 1801 and 1855 including Jaghiredars," as provision was made for this anticipated amount.

A List of arrears due to the undermentioned servants of the Carnatic Sirkar.

Stipend Number.	Names.	Order of Government by which pensioned.	Amount of pension per month. RS.	A.	P.	Date of cessation of service.	Date up to which arrears are due; issue of pension having commenced thereafter.	Period for which arrears are due. YS.	MS.	DS.	Amount of arrears due. RS.	A.	P.	Amount of gratuity received by each. RS.	A.	Amount of arrears to be paid to each. RS.	A.	P.	Remarks.
3616	Nerunjun Laul	9th June 1858, No. 374.	6	12	0	14th Jan. 1856	31st May 1858	2	4	18	192	14	8	......	...	192	14	8	
3935	Shaik Abdoollah	12th Nov. 1859, No. 664.	7	8	0	19th June 1859	31st Oct. 1859	0	4	13	33	4	0	......	...	33	4	0	
4577	Gholam Mohied Deen	Proceedings of Government, No. 206, dated 22nd September 1868.	3	8	0	7th May 1859	31st Aug. 1868	9	3	25	391	5	2	42	0	349	5	2	
4578	Shaik Mohiood Deen		4	0	0	11th Aug. 1859	Do. do.	9	0	21	434	11	4	48	0	386	11	4	
4579	Sawmy Laul		2	0	0	8th Nov. 1857	Do. do.	10	9	23	259	7	9	24	0	235	7	9	
4580	Mahomed Hyath		5	4	0	27th Oct. 1856	Do. do.	11	10	5	749	5	8	63	0	686	5	8	
4581	Mahomed Oosman		3	0	0	Do. do.	Do. do.	11	10	5	426	7	9	18	0	408	7	9	
4582	Khader Hoossain		3	8	0	Do. do.	Do. do.	11	10	5	497	9	0	21	0	476	9	0	
4583	Gholam Murtuzzah		2	0	0	Do. do.	Do. do.	11	10	5	284	5	2	18	0	266	5	2	
4584	Mahomed Kurreem-ood-Deen		3	5	0	1st March 1859	Do. do.	9	6	0	377	10	0	60	0	317	10	0	
4585	Mahomed Khassim		3	0	0	27th Oct. 1856	Do. do.	11	10	5	426	7	9	36	0	408	7	9	
4586	Gholam Hyder		5	4	0	Do. do.	Do. do.	11	10	5	749	5	8	63	0	686	5	8	
4587	Syed Ahmed		4	13	0	Do. do.	Do. do.	11	10	5	683	6	0	57	12	625	10	0	
4588	Shaik Ally		3	8	0	Do. do.	Do. do.	11	10	5	497	9	0	63	0	434	9	0	
4589	Mahomed Oosman		35	0	0	1st March 1859	Do. do.	9	6	0	3,990	0	0	......	...	3,990	0	0	
														Total		9,498	0	11	

No. 14. ORDER THEREON, 10th November 1868, No. 243.

Sanctioned.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 15. To the Secretary to the Most Exalted Order of the Star of India, Calcutta, dated Fort Saint George, 10th November 1868, No. 244.

In accordance with the provisions of the Covenants entered into with the recipients of the Insignia of the Order of the Star of India, I am directed to re-transmit the Insignia granted to the late Gulam Ali Khan Bahadur, C. S I., Nawab of Banganapilly, in the Kurnool District of this Presidency, who died on the 7th October last.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 16. Read the following letter from the Government Agent and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 10th November 1868, No. 271.

A number of slave-women belonging to the establishment of Her Highness Nawab Khyre-oon-Nissa Begum Sahibah have been recently petitioning Government, to the effect that Her Highness does not pay them their allowances. The Municipal Commissioner has also been for some time past calling on Her Highness to pay the taxes due by her for carriages and assessment. These claims have been repeatedly brought to Her Highness' notice, but Her Highness has done nothing to settle either of them. Under these circumstances it occurred to me that, perhaps, Her Highness might not object to the claims in question being settled from a sum of money belonging to Her Highness now in my hands. Her Highness has agreed to this suggestion, and I beg to submit it for the consideration of Government, with the following explanation.

2. By G. O., dated 1st June 1867, No. 151, it was directed that certain claims made on Her Highness on account of servants' wages which became due prior to 1855, should be settled in this office. The total sum claimed on the account was Rupees 85,000, and Her Highness has paid into this office Rupees 82,000 up to the present time. It now, however, appears almost certain that the amount actually to be paid by Her Highness will not exceed Rupees 76,000. There will, therefore, in all probability, remain Rupees 6,000 to be returned to Her Highness. It is now proposed, instead of returning the whole of that sum to Her Highness, to pay from it the amount due to the slave-women above mentioned, (Rupees 3,560,) and the amount due on account of Municipal taxes. (Rupees 547-15-7). Her Highness has approved the proposal in a letter dated 4th instant.

No. 17. ORDER THEREON, 12th November 1868, No. 245.

The Government approve of the arrangement proposed by the Government Agent, Chepauk, in the letter above recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 18. Read the following letter from the Officiating 2nd Assistant Resident at Hyderabad, to the Chief Secretary to Government, Fort Saint George ; dated Hyderabad, 2nd November 1868, No. 862.

Financial.

In reply to your letter, No. 228, of the 21st instant, I have the honor, by desire of the Resident, to state that he has consented to the payment, at Hyderabad, of the Carnatic Stipendiary therein named, and that the Comptroller General of Accounts, Calcutta, has been requested to issue a fresh Permanent Payable Order on the Political treasury here.

No. 19. ORDER THEREON, 13th November 1868, No. 246.

Communicated to the Accountant General, with reference to his letter, dated the 7th ultimo, No. 1060.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 20. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 5th November 1868, No. 67.

I have the honor to report, for the information and orders of Government, that Mr. J. Ritchie has applied for permission to reside in the Travancore territory, and that the Government of that State has no objection to his doing so.

No. 21. ORDER THEREON, 13th November 1868, No. 247.

His Excellency the Governor in Council has no objection to Mr. J. Ritchie residing in Travancore with the permission of His Highness the Maharajah of Travancore.

(Signed) R. S. ELLIS,
Chief Secretary.

Read again despatch from the Right Honorable the Secretary of State for India, dated 27th March 1868, No. 3.

Read letter from the Officiating Secretary to the Government of India, Foreign Department, dated 13th May 1868, No. 480.

Read again letter from His Highness Prince AZEEM JAH BAHADOOR, to the Right Honorable the Governor, dated 8th June 1868.

Read again letter from the Chief Secretary to the Government of Fort Saint George, to the Secretary to the Government of India, Foreign Department; dated 19th June 1868, No. 141.

No. 22. Read also letter from the Secretary to the Government of India, Foreign Department, to the Chief Secretary to Government, Fort Saint George; dated Simla, 26th September 1868, No. 1097.

In continuation of the telegram forwarded to you on the 24th instant, and of previous telegrams on the subject of Prince Azeem Jah's debts, and in reply to your letter of the 19th of June last, No. 141, I am directed by His Excellency the Viceroy and Governor General in Council to communicate to you, in writing, the remarks and orders of the Government of India on the whole subject.

2. His Excellency in Council observes, that in the various attempts which have been made to effect a settlement of the debts of this Prince, a distinction has, not unnaturally, grown up between those which had security to rest on in the shape of property, real and personal, as land and jewels, belonging to Members of His Highness' family; and those for which His Highness is alone responsible, and for which, apparently, there was no tangible security. The former are termed, throughout the correspondence, the "secured," and the latter, the "unsecured" debts.

3. As might have been expected, and as remarked by the Government of Madras, in its Despatch to the Secretary of State of the 7th of January last, the creditors of the secured debts showed little or no disposition to avail themselves of the terms offered by Act III of 1867, or to file their claims before the Commissioner appointed under that enactment, preferring to have recourse, for the enforcement of the their claims, to attachment of the property, or possibly, to other modes of coercion. His Excellency gathers that claims to about four lakhs only, of this kind of debts, were laid before the Commissioner.

4. The present position of matters is, then, that fifteen lakhs of Rupees have been already assigned by Her Majesty's Government for the payment of the debts of His Highness, and that a further payment, not of five lakhs as was originally proposed, but of twelve lakhs, has been actually now assigned by the Government of India, with the consent of Her Majesty's Government, in furtherance of the same object.

5. The total of the unsecured debts, after deducting about four lakhs as already alluded to, was estimated by the Commissioner, according to your despatch already referred to, at 58,85,187, or a sum not very far short of sixty lakhs of Rupees, while the claims on the unsecured debts, from your letter of the 19th of June last, might be set down, roundly, at 30 lakhs of Rupees.

6. Thus, at first sight, it would appear as if, for the clearance of debts amounting to a sum, in round numbers, of 89 lakhs of Rupees, the British Government had advanced a sum of 15 + 12 lakhs, or 27 lakhs; that is to say, a sum of not one-third of the total required.

7. But, it is quite obvious to the Government of India, as it has been to the Government of Madras, from the terms of its despatch to the Secretary of State, that the amount of the debts, whether filed before the Commissioner or not, must be susceptible of a very large reduction. A considerable portion of the unsecured debts will, no doubt, disappear on careful investigation, or will turn out not to have been preferred by *bona fide* creditors; while, from both classes of debts, very large diminutions must be made an account of exorbitant interest. His Excellency in Council, without laying down any positive rule in regard to matters of which he may not be fully informed, is inclined to think that if all *bona fide* creditors of either kind, who are not in any way to blame for their own folly or imprudence, shall recover the capital of their debts, or a fair portion of the same, they will have no just reason to complain. And in the case even of the secured creditors, all pretensions to exorbitant interest should not be entitled to any consideration. It seems monstrous to His Excellency in Council that claims, which, in 1865, were represented at 15½ lakhs, should now have reached, by the mere computation of interest, to nearly double that amount. His Excellency in Council may reasonably entertain doubts whether any Court of Justice would treat such pretensions with the least favor.

8. The result af the whole correspondence which has taken place on this subject is, therefore, that 27 lakhs have now been set apart, under certain conditions, to effect a settlement of a long pending dispute, which it is desirable should be concluded on a satisfactory basis, for the sake of the dignity of the Prince, as well as for obvious financial and political considerations, affecting the British Government. His Excellency in Council will rely on the Government of Madras to do all in its power to apportion the whole sum allotted, in the most equitable manner, and to spread it over the largest surface, so as to bring about this desirable consummation at no distant time. The remarks of the Secretary of State, contained in paragraph 6 of the despatch to the Madras Government, of the 27th of March last, will, no doubt, be borne in mind, viz., as to the impropriety of giving the secured debts priority over the unsecured debts.

9. Measures must be at once taken to recover the further amount of 12 lakhs, now advanced with the consent of the Secretary of State, by the suspension of the increased stipend lately allotted to the Prince, until such time as the whole shall be recovered. The said increase being 1½ lakhs per year, it follows that repayment may be expected in about eight years from this time.

10. His Excellency in Council cannot too strongly impress on the Madras Government, and, through His Lordship in Council, on the Prince and his creditors, the important fact that this dcision is a final and unalterable decision; and that it has been formed after full and anxious consideration, that the ess nce of this compromise is, that a very considerable portion of the claims must be given up and that the Government of India will be ready to meet any animadversions or attacks, rather than consent to reopen the subject, or to increase the substantial aid now afforded, at any future time. There is always danger lest some of the creditors or claimants should entertain an opinion that, by prolonged agitation or by unceasing importunity, they may succeed in extracting a still larger sum from the public purse. His Excellency in Council has no doubt that the Madras Government will use all its influence and all the legitimate means in its power to remove any such impression, if it still exists in the minds of the creditors or of the Prince.

Proceedings of the Madras Government, Political Department, 14th November 1868.

No. 23. ORDER THEREON, 14th November 1868, No. 248.

In his Despatch, No. 3, Political, dated 27th March 1868, the Right Honorable the Secretary of State for India, intimated to the Government of Madras, that in the event of Highness Prince Azeem Jah Bahadoor, being able to effect an arrangement for the settlement of the claims of his secured creditors, Her Majesty's Government would be prepared to assist His Highness in freeing himself from these liabilities, of which a large proportion consists of heavy interest which has accumulated during the last few years, by advancing to His Highness a loan of reasonable amount to be repaid by His Highness from the increased allowance recently assigned to him. A copy of this despatch was communicated to His Highness Prince Azeem Jah with a view to his furnishing the information which was necessary as to the amount of his secured debts, and as to the sum which His Highness' creditors would be prepared to accept in satisfaction of their claims.

2. In reply His Highness stated that the amount of his secured debts, which in July 1865, had been ascertained to be about 15½ lakhs of Rupees had increased to about 30 lakhs. It was stated that this large difference was occasioned by the accumulation during the last three years of high interest borne by this class of His Highness' obligations. His Highness further stated that he had placed himself in communication with some of the principal of his secured creditors and that in their opinion a sum of 15 lakhs would be sufficient to enable His Highness to make a settlement of the whole of the secured claims.

3. His Highness requested that Her Majesty's Government might be moved to grant him an advance of 15 lakhs, for the settlement of his secured debts which amount he proposed to repay by monthly instalments not exceeding in the annual aggregate, two-thirds of the increase of the allowance assigned to His Highness, or in other words that the total amount of these payments should not exceed one lakh per annum.

4. The letter from His Highness containing the information regarding the amount of his secured debts, the estimated sum required to effect an arrangement with the secured creditors, and the terms upon which the loan for which His Highness applied has been submitted by His Excellency the Governor in Council for the consideration of His Excellency the Viceroy and Governor General in Council, and of the Right Honorable the Secretary of State for India.

5. His Excellency the Governor in Council has received the reply of the Right Honorable the Secretary of State, which he desires may be communicated to His Highness Prince Azeem Jah Bahadoor. Although the amount of His Highness' secured debts and the sum which will be necessary for their settlement is greatly in excess of what was originally contemplated when the Secretary of State intimated the willingness of Her Majesty's Government to assist His Highness in freeing himself from liabilities which were described as pressing painfully upon His Highness, the Secretary of State consents to a sum of *twelve* lakhs being advanced to His Highness, on the condition that His Highness is able for that sum to make a final settlement of the whole of the secured claims and to obtain from the secured creditors a deed of release, in such a form as will, in the opinion of the Law Officers of Government, be sufficient to protect His Highness from further demands from these creditors. The Secretary of State is also pleased to accede to His Highness' request that the payment on account of the advance of 12 lakhs shall not exceed one lakh per annum.

6. It is the duty of His Excellency the Governor in Council to impress upon His Highness Prince Azeem Jah, the fact that the terms now offered with the view of relieving him from the difficulties which have been so severely pressing upon him are final, and that the Madras Government are precluded by the orders of the Secretary of State from reviving in any form the question of relieving His Highness from his embarrassments. It is of the utmost importance for His Highness' future comfort and dignity that he should himself thoroughly understand the decision of Her Majesty's Government on this question, and that His Highness should intimate, in language which will be clear and unmistakeable, to his creditors, that no further assistance will be afforded by Government to His Highness, in the settlement of their claims.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 24. Read the following letter from the Commissioner for the Examination and Settlement of Claims against His Highness Prince Azeem Jah Bahadoor, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 10th November 1868, No. 6.

Since I had the honor of addressing you, in reply to Mr. Under Secretary Walker's Memorandum of the 17th September last, requesting to be informed of the probable date on which my inquiries would be concluded, I find that a far larger proportion, in fact nearly all the petty claims filed before me during the last three days of the period allowed for that purpose, require to be investigated in the presence of the parties concerned.

2. There still remain nearly 700 claims of this nature to be heard, besides many, about 500, which have been partly examined and adjourned for further information.

3. It, therefore, appears to me advisable at once to state, for the information of His Excellency the Governor in Council, that I cannot expect to complete these inquiries, and to submit my report to Government before the end of May next, or three months later than the period specified in my letter of the 21st September last.

No. 25. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 24th November 1868, No. 253.

In continuation of my letter, dated the 9th ultimo, No. 221, I am directed by His Excellency the Governor in Council to transmit, for the information of the Governor General in Council, copy of a further letter* from the Commissioner for the Examination and Settlement of Claims against his Highness Prince Azeem Jah, stating that he cannot expect to complete his inquiries into the claims which have been preferred, and to submit his report before the end of May next, or three months later than the period mentioned in my letter of the 9th ultimo.

* Dated 10th November 1868, No. 6.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 26. Read the following letter from the Under Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort Saint George ; dated Simla, 3rd November 1868, No. 3449.

In reply to your letter, No. 202, dated the 22nd September, I am directed to state that the Memorial of Syed Kurshud Hoossain, and other sons and daughters of the late Khirath Hoossain, has been forwarded to the Secretary of State, with the remark that the Government of India concur in the decision of the Government of Madras.

No. 27. ORDER THEREON, 24th November 1868, No. 254.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 28. Read the following letter from ABDOOL NABEE, Goolfroosh in the service of the late Nawab and his mother, Enoyet-oon-Nissa Begum Sahiba, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 7th October 1868, Petition No. 2212.

That your poor and humble petitioner begs to state that, though he repeatedly appealed to you for the just right of his pension for his services as flower-supplier in the service of the late Nawab of the Carnatic and his mother, yet no notice was taken of the same ; and that his several subsequent petitions on the subject, containing fresh reasons and facts in support of his claim were returned under Rule 5 of the Petition Rules. Your petitioner respectfully submits herewith his

memorial to the address of the Right Honorable the Secretary of State for India, and prays that the same may be transmitted to its proper destination with your favorable recommendation ; and your petitioner solicits that a full report on the subject of this petition may be obtained from the Government Agent at Chepauk before its transmission to the Right Honorable the Secretary of State.

For which act of justice and benevolence your poor and humble petitioner, as in duty bound, shall ever pray.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA,

&c. &c. &c.

The humble Memorial of ABDOOL NABEE, Goolfroosh, or flower-supplier, in the service of the late Nawab of the Carnatic and of Nawab Enoyet-oon-Nissa Begum Sahiba, mother of the late Nawab of the Carnatic.

MOST RESPECTFULLY SHEWETH,

That your Lordship's poor and humble Memorialist having failed to meet with justice at the hands of the Madras Government, who unjustly rejected his claim to pension, without instituting full and proper inquiry on certain grounds mentioned in the Government Agent's report, which are quite erroneous, as will be seen from the undermentioned statements, which your Memorialist begs to submit for your Lordship's patient and just consideration in support of his well founded and legal claim.

2. That your Lordship's Memorialist's case is, that the Memorialist as well as his father and grandfather were in the service of the late Nawab of the Carnatic as flower-suppliers, on a permanent monthly salary of 10 Rupees per mensem, and latterly your Memorialist's service was tranferred by the late Nawab of the Carnatic to that of his mother Nawab Enoyet-oon-Nissa Begum Sahiba. Your Memorialist having given every satisfaction in the discharge of his duty, he continued to receive his salary regularly for more than three years even after the demise of the late Nawab of the Carnatic, but, his name having been inadvertently omitted in the Pension List, he has been deprived of his pension, and his appeals to the Madras Government on the subject were of no avail.

3. That your Lordship's Memorialist begs to submit this appeal on the following among other grounds :—

1st.—That, with regard to the first part of the Government Agent's assertion, to the effect that "petitioner was not a servant", your petitioner begs to state :—

(1).—That had he not been a servant, what reasons could there exist for the Memorialist affixing his seal to his monthly salary receipts prepared by the Sircar ; it being a well known fact that it is not usual or binding on the suppliers and other contractors to affix their seals on such receipts, and that only permanent Sircar servants were required to affix their seals to their monthly salary receipts ?

(2).—That the Ex-Dewan has also furnished the Memorialist with an endorsement certifying to the fact, "that the petitioner was a servant and that he was entitled to pension." The original endorsement, together with a translation, is herewith submitted for your Lordship's kind perusal.

(3).—That, even after the demise of the late Nawab of the Carnatic, the Ex-Dewan, Madar-ool-Oomrah Bahadoor, who had a better knowledge of the affairs of the late Nawab of the Carnatic, continued paying the Memorialist's salary for more than three years, even after the demise of the late Nawab of the Carnatic, as he was well acquainted that the Memorialist was a servant and not a mere contractor.

2nd.—That with regard to the Government Agent's statement, "that his (Memorialist's) name is not to be found in the List of servants," your Memorialist begs to state that, though

your Memorialist is ignorant as to how such an omission could have occurred, yet he ventures to state that this is no doubt owing to an omission by oversight of the same on the part of the servants in the Sircar of the late Nawab.

That, in support of the above point, your Memorialist begs to quote the case of one Syed Abdool Cawder, and begs leave to state that, though his claim for a pension was rejected on the same ground, yet he has been granted the additional monthly stipend, though his name is not found in the Sircar list, which was allowed to him by the Nawab Enoyet-oon-Nissa Begum Sahiba on his proving that his name was found in the Khansamah's account. This was sanctioned only in 1864. While so, how can the Memorialist's claim, which is found in the Petty Accounts Book as admitted by the Government Agent, be rejected ? This is really very unjust.

3rd.—That, with regard to the Agent's last and concluding assertion, that " he, Memorialist, was merely employed to provide flowers for the Begum, and was paid for them by a fixed sum as shown by the Petty Accounts Book", your Memorialist begs leave to explain that had the Memorialist been a co tractor for supplying flowers, what reason could there exist for the Memorialist being paid by fixed monthly salary ? Further

The other contractors who supplied the Sircar with several other articles were not paid by fixed sums, but were only paid the real value of the articles so supplied.

And your Lordship's Memorialist begs also to observe that, had he been a contractor, as he is supposed to have been, he could not have had any reason for supplying articles to his disadvantage, as his monthly salary of only 10 Rupees was very often found to be less than the actual value of the flowers supplied by him, and his sole object in so doing was to benefit himself with the future reward of his service *(i. e.)* pension.

That your Lordship's Memorialist begs leave to acquaint your Lordship that certain others whose names are noted in the margin, and who were also flower-suppliers during the lifetime of the late Nawab of the Carnatic for the Mosques and Tombs at Madras, Trichinopoly, &c., have had pensions conferred on them. And while those suppliers were pensioned, how is it possible that the Memorialist should be so unjustly deprived of the pension to which he is legal y entitled for his faithful and long services ?

Mahomed Oomer, flower-supplier attached to Wallajah Mosque at Triplicane—pension 20 Rupees. Flower supplier attached to the Mosque at Trichinopoly—pension 7 Rupees.

Under these circumstances it will be evident to your Lordship that your poor and humble Memorialist has every right and claim for pension which he failed to obtain at the hands of the Madras Government, to whom he appealed very often on the subject ; and, as he has none but your Lordship to whom he can look for protection and justice, your poor and humble Memorialist prays that his case may be taken into just and impartial consideration, and orders may be issued for conferring on him the pension of 10 Rupees per mensem which will prove to be a means of maintenance for your Lordship's Memorialist and his large family, who are now dying of starvation.

For which act of benevolence and justice, your Lordship's poor and humble petitioner, as in duty bound, shall ever pray.

MADRAS, *7th October* 1868.

(Signed) ABDOOL NABEE,
Goolfroosh in the service of the mother of the late Nawab of the Carnatic.

No. 29. ORDER THEREON, 27th November 1868, No. 256.

Resolved that, under the provision, of Clause III of the Rules for the submission of Memorials, &c., the Memorial from Abdool Nabee, Goolfroosh, be forwarded to the Government of India, in the Financial Department, for submission to the Secretary of State, and that it be pointed out that the Memorialist was merely a contractor for supplying flowers to the late Nawab of the Carnatic, for which he was remunerated at a fixed rate, and that he has no claim to a stipend as a servant.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 30. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 27th November 1868, No. 257.

I am instructed by His Excellency the Governor in Council to forward a Memorial from Abdool Nabee, Goolfroosh or flower-supplier to the late Nawab of the Carnatic, to the address of the Secretary of State for India, appealing from the orders passed by this Government, in May 1865 and in June 1868, declining to recognize the Memorialist as a servant of the late Nawab of the Carnatic.

2. Memorialist was not a servant, and his name is not borne in the List of the servants of the late Nawab. He was merely employed as a contractor for supplying flowers, for which he was remunerated at a fixed rate, and has no claim to a stipend as a servant.

3. I am to add that this Government see no reason for modifying the view taken by them in the case of Memorialist.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 31. Read the following letter from the Acting Secretary to the Board of Revenue, to the Chief Secretary to Government, Fort Saint George; dated Madras, 4th November 1868, No. 7830.

With reference to the subject of Government Order, dated 28th August 1868, No. 194, I am directed to inform you that there are but two estates in this Presidency which appear such as are referred to in the Return called for in paragraph 1 of the letter from the Secretary to the Government of India, dated 11th August 1868.

2. These are the Estates of Tatapilli and Rumpah, in the Godavery District, alluded to in paragraph 3 of the Sub-Secretary to the Board of Revenue's letter, dated 4th October 1867, No. 6347. It is there explained that these Jaghires were originally held on condition of rendering Military and Police service, and when relieved of this obligation, they were required to pay the estimated yearly value, namely, Rupees 6,500 and 1,458, respectively.

3. Although no Sunnuds have been granted and no Peshcush fixed, the Jaghires must be regarded as already confirmed in perpetuity, and the levy of Nuzzerana on succession does not, therefore, appear advisable.

4. There are of course many Zemindaries and Jaghires permanently settled, and innumerable Inams; but it is presumed that the Government do not seek a return of these, and the Board have not, therefore, called for lists.

No. 32. To the Secretary to the Government of India, Home Department, (Revenue,) dated Fort Saint George, 27th November 1868, No. 258.

With reference to your letter, dated the 11th August last, No. 797, I am directed to transmit copy of a letter from the Acting Secretary to the Board of Revenue, dated the 4th instant, No. 7830.

2. It will be observed that, as stated in the Secretary's previous letter, dated 4th October 1867, No. 6347, communicated with letter from this Office, dated the 21st idem, No. 289, there are only two estates in this Presidency which appear to fall within the description given in paragraph 1 of your letter. These are the Jaghires of Tatapilli and Rumpah, in the Godavery District. They were originally held on condition of rendering Military and Police service, and when relieved of that obligation, were required to pay the estimated yearly value of Rupees 6,500 and Rupees 1,458, respectively.

3. I am to state that this Government concur in the views expressed by the Board of Revenue in paragraphs 3 and 4 of their Acting Secretary's letter, that it is not advisable that any Nuzzerana should be levied on succession in the Jaghires in question, or on the other Zemindaries and Jaghires permanently settled in this Presidency.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 33. Abstract of a Petition from PADSHAMAH, of Kurnool, dated—— [received 21st August 1868], Petition No. 1801.

States that the Government, on the death of the late Nawab Moonaver Khan, granted a Jaghire of Rupees 30,000 per annum to his son on certain conditions of supporting his dependants, and that, after the demise of his said son Ghoolam Rasool Khan, the Government continued a pension of Rupees 270 per mensem to his widow, Moobaraz Khatoon Sahiba, out of which the petitioner received her support as long as Moobaraz Khatoon lived ; but, the lady having died last year, the Collector, Mr. Chase, recommended that her stipend should be continued to her maternal great-grandson, Ghoolam Aly Khan, and ordered that the petitioner may be supported out of the same amount, but that the Government did neither comply with the request of the Collector, on the ground that the father of Ghoolam Aly Khan was in receipt of a separate stipend, nor was any thing resolved concerning the petitioner's support. States his sufferings for want of support, submits the Collector's endorsement, and represents that it does not refute the petitioner's claim for support. Prays that, as the late Moonaver Khan was a friend to Government, and that as the petitioner is more than 60 years old and cannot live long, some charitable allowance may be sanctioned for support of the petitioner.

No. 1801.

Referred to the Collector of Kurnool for report.

(By Order),

FORT SAINT GEORGE,
17th September 1868.

(Signed) C. G. WALKER,
Under Secy. to Govt.

No. 34. From T. A. N. CHASE, Esq., Collector of Kurnool, to the Chief Secretary to Government, Fort Saint George ; dated Kurnool, 23rd September 1868, No. 333.

In reply to the Order of Government, dated 17th September 1868, referring for my report a petition from one Padshamah (herewith returned), I have the honor to state that this woman's case was fully reported on in my letter to Government, No. 63, dated 5th August 1867, and Government, in their Order, No. 281, dated 9th October 1867, paragraph 9, declined to continue any part of the pension enjoyed by the late Moobaraz Khatoon, under whose support the petitioner was living.

No. 35. ORDER THEREON, 30th November 1868, No 262.

The Government observe that Mr. Chase's former letter of the 5th August 1867 was deficient in explanation as to the claim of this person, Padshamah. It would appear that she was wholly supported by the deceased lady Moobaraz Khatoon, and that, at a very advanced age, she is left quite destitute. The Government are, therefore, pleased to grant her, for her life, a stipend of Rupees 10 per mensem.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 36. Read the following letter from the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 18th November 1868, No. 280.

I have the honor to submit the following case for the orders of Government.

2. During the life-time of the late Nawab a Hindu, called Gunesh Persaud, was in His Highness' service. His nephew became a Mahomedan, and took the name of Mahdi Nawauz. Gunesh Persaud died, and Mahdi Nawauz, in the year 1853, claimed, as heir of the deceased, the arrears of wages due to him by the Circar. This claim was laid before the Court of Mahaquamah, and was rejected by the Court, on the ground that the claimant being a Mahomedan could not legally be the heir of a Hindu. The claimant appears to have accepted this decision at the time. Some time afterwards he died, leaving one Meer Ibrahim, his Executor by Will. In January 1862, Meer Ibrahim petitioned this office, claiming the arrears as due to the estate of Mahdi Nawauz. The claim was rejected by this office, on the ground that it had been previously settled against claimant by the Court of Mahaquamah. In 1864 he again petitioned, claiming the arrears under Act No. XXI of 1850. This claim was referred for the opinion of the Advocate General, who advised* against paying the money, and the claim was, therefore, again rejected.

* Copy of his Opinion is annexed.

3. In 1867, Government ordered this office to pay from the stipend of Her Highness Nawab Khyre-oon-Nissa Begum the arrears due, to the year 1855, by Her Highness to the servants of Her Highness' establishment. Amongst those servants was the person called Gunesh Persaud, mentioned in the 2nd paragraph of this letter. To him a sum of Rupees 710-7-0 is due, as acknowledged by the Begum, and is now in my hands. I beg to be informed what I am to do with it. From the decision given, as to the arrears claimed from the Nawab's estate, it is, I assume, established that the money in question cannot be claimed on account of Mahdi Nawauz. The money is not claimed on account of any one else. It only, therefore, remains to be decided whether the money lapses to the Begum or to Government, and on this point I do not think there can be any doubt. The money is due, as stated in paragraphs 2 and 3, on account of service rendered during the Nawab's life-time. Had the payment of it not been allowed to fall into arrear it would have lapsed to the Nawab, and ought, therefore, now to lapse to Government.

COPY—OPINION.

A Court of competent jurisdiction has already decided against the validity of the claim preferred by the late Mahdi Nawauz. This decision appears to have been acquiesced in by Mahdi Nawauz. His Executor now claims the money. I think that the Government Agent would act very imprudently if he acted upon the representation of the Executor, that Act XXI of 1850 confers any right upon him.

2. It is not necessary to discuss the effect of that Act. The claimant should be simply told that the Agent cannot comply with his request.

3. It is to be observed, as was remarked by the late Chief Justice Sir Henry Davison, that this Act does not seem to confer any new right; it only says that any forfeiture, &c., *shall cease to be enforced* in the Courts of Law.

2nd November 1865. (Signed) J. B. NORTON,
Advocate General.

(True Copy).

(Signed) J. R. BOYSON,
Government Solicitor.

(True Copy).

(Signed) R. S. WILSON,
Government Agent.

No. 37. ORDER THEREON, 30th November 1868, No. 263.

Although it appears from what is stated by the Government Agent, Chepauk, in his letter above recorded, that the amount due to the late Gunesh Persaud is legally an escheat, the Government resolve, under the peculiar circumstances of the case, to relinquish their claim, and to direct the payment of the sum of Rupees (710-7-0) seven hundred and ten, and Annas seven, held in deposit, to Her Highness Khyre-oon-Nissa Begum.

(Signed) R. S. ELLIS,
Chief Secretary.

A.

POLITICAL DEPARTMENT.

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POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of December **1868**.

Read the following papers :—

No. 1. From the Collector of Bellary, to the Chief Secretary to Government, Fort Saint George ; dated Bellary, 17th November 1868, No. 75.

With reference to the previous correspondence* on the subject of the boundary disputes between this district and Mysore, and the orders† of Government thereon, I put myself in communication with Captain Grant, the Superintendent of the Revenue Survey in Mysore, who informed me that he would not be able to depute an Officer for the purpose to meet Mr. Kelsall till the middle of January. Under the impression that it was intended that the differences existing as to the exact boundary line should be disposed of along the whole length of the frontier, I pointed out to Captain Grant that this arrangement would involve the necessity of the Officers engaged being out in tents for the best part of the hot weather, and requested him, if possible, to arrange for an earlier meeting. From his reply, ‡ enclosed, the Government will observe that he at no time contemplated the settlement of any disputes except those connected with the Powghur Taluq, the disposal of which he calculates will not occupy more than ten days or so. Under these circumstances, I shall feel obliged by your informing me whether the Government still wish Mr. Kelsall to take up the work which is thus reduced to such small dimensions. It seems to me hardly worth while to send him away from his division just at the time of the annual settlement to dispose of so trifling a matter. Mr. Sharp, the Acting Sub-Collector, could arrange for the settlement of the adjoining Taluq during the month of January, and settle these few disputes at the same time.

* Collector's letters, dated 5th June, 8th July, and 6th August 1868, Nos. 41, 44, and 52, respectively.
† Dated 1st and 31st August 1868, Nos. 171 and 195, respectively.
‡ No. 351, of 11th November 1868.

2. I should not have presumed to address Government again on the subject, had not the circumstances of the case materially altered since their last Order.

From the Secretary to the Mysore Commission, to the Superintendent of the Revenue Survey in Mysore ; dated Bangalore, 25th August 1868, No. 3110-62.

In acknowledging the receipt of your letter, No. 234, of the 19th instant, I am directed by the Commissioner to observe that it does not appear that any advantage would be gained by settling boundary disputes in Taluqs not under settlement ; but that, as it is highly desirable to effect such

an arrangement as may be mutually satisfactory, free communication should be had recourse to with the Bellary authorities, who, Mr. Bowring is convinced, will gladly co-operate in settling any outstanding disputes.

From Captain J. P. GRANT, Superintendent of Revenue Survey, Mysore, to the Collector of Bellary; dated Dharwar, 11th November 1868, No. 351.

With reference to your letter, No. 1327, dated 31st October 1868 forwarding copy of letter, No. 338, dated 26th October 1868, from Mr. Kelsall, Head Assistant Collector, I have the honor to make the following remarks.

2. I at no time contemplated that any attempt would be made to settle boundaries of the Taluqs of the Chittledroog District, where survey operations have not hitherto been set on foot: on which subject I beg to enclose copy of letter received from the Commissioner of Mysore.

3. The settlement of boundary disputes is much facilitated by the preparation of maps showing the extent under dispute, and I think that the difficulties attending the settlement of disputes on the frontier, where survey operations are not in progress, would be more serious than Mr. Kelsall supposes, and moreover two or three years might elapse before the survey would be completed, and in the meantime the line of settlement might be again disputed.

4. I think it far preferable that, as each Taluq is surveyed, a special settlement should be effected by Officers appointed by either Government.

5. The settlement of the Powghur disputes will not, I imagine, occupy more than eight or ten days, and I have directed Mr. Barker, Assistant Superintendent, Revenue Survey, Mysore, to lose no time, after his arrival in Powghur on 1st December next, in having the necessary maps prepared, and intimating their completion to Mr. Kelsall.

6. I would also mention that I am unable, without the very greatest inconvenience, to detach an Officer for special duty of this sort for any period extending over more than ten days.

No. 2. From the Collector of Bellary, to the Chief Secretary to Government, Fort Saint George; dated Darojee, 20th November 1868, No. 76.

In continuation of my letter, No. 75, dated 17th instant, I have the honor to forward, for the consideration of Government, copy of a letter* this day received from Mr. Kelsall, giving cover to an extract from a letter to his address from the Assistant Superintendent, Revenue Survey of Mysore, who was deputed, to meet him for the settlement of the boundary disputes between Mysore and this District.

* No. 355, of 16th November 1868.

From J. KELSALL, Esq., Acting Head Assistant Collector, to the Collector of Bellary; dated Anantapur, 16th November 1868, No. 355.

With reference to the correspondence marginally noted, I have the honor to request more definite instructions on the subject.

1 Letter from Collector, No. 1114, dated 21st September 1868, Enclosure 1.
1 Copy of a letter from the Secretary to the Mysore Commissioner, No. 3838-78, dated 30th September 1868.
1 Copy of a letter from Captain Grant, to the Collector of Bellary, No. 305, dated 13th October 1868.

2. I was always under the impression that *all* the existing boundary disputes between this District and Mysore were to be inquired into and disposed of by the officer deputed by the Mysore Government and myself. This would involve, as a glance at the map will show, our commencing at Hindoopoor and working round to Hurpunhully, a distance of 230 miles. This would probably occupy at least three months, for the disputes are numerous on the frontiers of Dhurmavarum, Raidrug, and Kudligi Taluqs. I never had a doubt but that it was intended that our work should be continuous, that having once commenced we should dispose of all the existing disputes.

3. But from the letter* received this day from Mr. Barker, the gentleman deputed to meet me, it is evident that the Mysore Revenue Survey entertain a very different opinion. Mr. Barker, after consulting with Captain Grant,

* Copy of which is enclosed.

explains that they propose to do the work in what I may be allowed to call a piece-meal fashion. Thus he will not be prepared to commence the Raidrug Moolcalmuru disputes for two years, the Dodairee Kalyandrug questions for one year, &c. By January, Mr. Barker considers a sufficient number of cases will be ready to occupy us for not more than ten days.

4. The questions must, I respectfully submit, be settled once for all, and continuously. I cannot, at intervals of a few weeks, keep leaving my own division and proceeding to the south of the district, when the Survey have prepared maps of one or two villages adjoining this district.

5. As to Mr. Barker's statement that the boundary line has been laid down in the Hurryhur and Canacoopa Taluqs, I cannot allow this to pass unnoticed. The line may have been laid down to the satisfaction of the Mysore Survey; but there have been and still are many disputes on the Kudligi frontier at Oojany, Nimbagiry, and Hossahully. I believe in only one instance was Mr. Lilly, the late Head Assistant Collector, consulted.

6. On receipt of the letter from Mr. Barker I again referred to the Government Orders, and I find (G.O., 31st August, No. 195) we are to settle the disputes between the Chittledroog District and the frontier villages of the Bellary District. On referring to the map I find some ten Mysore Taluqs adjoining this district; but I cannot obtain any information as to whether all or any of them are comprised in the Chittledroog District. Government, when passing the orders, were probably unaware of the number of disputes all along the frontier.

7. I have the honor, therefore, to request more explicit instructions, and, at the same time, most respectfully urge that the work may not be done in a piece-meal fashion, but that, when once commenced, it may be continued to the end.

* * * *

I have received your letter of the 3rd instant, and at once consulted Captain Grant on the subject to which it alluded. Captain Grant tells me that he has answered the Collector of Bellary, who referred to him officially on the same subject.

2. The boundary between your Collectorate and the Mysore Taluqs of Hurryhur and Kunkoopa has been laid down, and now no disputes exist. In the case of Moolcalmuru it might be two years, and in the case of Dodairee Taluq one year, before Survey operations are completed; and were we to attempt the settlement now, it would necessitate our going over the boundary of every village on either side whether a dispute existed or not, and I am in hopes that, in many cases, there may be no disputes at all; indeed we are borne out in this opinion by what has taken place in all the surveyed Taluqs. I shall be down in my districts about the 1st December, and shall at once give my best attention to getting maps of disputed land ready, and will let you know in good time. I may confidently say that all will be ready by the 15th January, and the settlement will not, I think, occupy more than ten days.

3. There are now no disputes left unsettled excepting where the Moolcalmuru, Dodairee, and Powghur Taluqs adjoin your Collectorate. Kunkoopa and Hurryhur were settled long ago.

(Signed) J. B. BARKER,
Asst. Supt., Revenue Survey.

DHARWAR, 9*th November* 1868.

(True Copy).

(Signed). J. KELSALL,
Head Assistant Collector.

No. 3. ORDER THEREON, 2nd December 1868, No. 267.

As it appears that only a small portion of the boundary between the Mysore country and the Bellary District can be determined at present, it will be unnecessary, in the opinion of Government, to depute Mr. Kelsall for this duty, and the Collector's proposal is approved.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 4. From the Acting Secretary to the Government of Bombay, Financial Department, to the Chief Secretary to Government, Fort Saint George ; dated Bombay Castle, 3rd November 1868, No. 1602.

With reference to Mr. Chief Secretary Pycroft's letter, No. 704, dated 29th November 1860, I am directed to inform you that the pensioner Madava Rau Eshwanta Rau Davakur Sarnahut therein referred to has not up to this day appeared before the Collector of Ahmednuggur to receive his stipend, and has thus rendered himself liable to have his name struck off the books of that Collectorate under Clause IV of the Rules of 29th June 1858.

Before, however, issuing an order to that effect, the Right Honorable the Governor in Council desires me to request that you will, with the permission of the Government of Madras, cause inquiries to be made regarding the whereabouts of the pensioner, and to communicate the result to this Government.

Forwarded to the Government Agent, Tanjore, for inquiry and report, with reference to Mr. Cadell's letter, dated 20th November 1860, No. 495—G. O., 29th idem, No. 703.

FORT SAINT GEORGE,
12th November 1868.

(*Signed*) R. S. ELLIS,
Chief Secretary.

No. 5. From the Government Agent of Tanjore, to the Chief Secretary to Government, Fort Saint George ; dated Vallam, 25th November 1868, No. 164.

With reference to your endorsement, dated 12th instant, on a letter from the Secretary to Government of Bombay, dated 3rd idem, No. 1602, I have the honor to state that the Pensioner therein named did not go to his native country as he first desired, but continued to draw his stipend here till last year, when he got it commuted into a lump sum, and then proceeded to his native place in the Bombay Presidency. His name may, therefore, be struck off the books of the Collectorate of Ahmednuggur.

No. 6. To the Acting Secretary to the Government of Bombay, dated Fort Saint George, 4th December 1868, No. 268,

With reference to your letter, dated the 3rd ultimo, No. 1602, I am directed to transmit copy of a letter* from the Government Agent, Tanjore, and, for the reasons stated therein, to request that the name of Pensioner Madava Rau Eshwanta Rau Davakur Sarnahut may be struck off the books of the Collector of Ahmednuggur.

* Dated 25th November 1868, No. 164.

(*Signed*) R. S. ELLIS,
Chief Secretary.

No. 7. Read the following letter from the Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort Saint George ; dated Simla, 7th November 1868, No. 3554.

In reply to your letter, No. 216, dated 30th of September 1868, I am desired to state that the Memorial of Nizam-oo-deen Ahmed Khan has been forwarded to the Secretary of State, with the remark that this Government supports the decision of the Government of Madras.

No. 8. ORDER THEREON, 8th December 1868, No. 269.

To be recorded.

(*Signed*) R. S. ELLIS,
Chief Secretary.

No. 9. Read the following letter from the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 4th December 1868, No. 303.

I have the honor to forward, for submission to, and sanction by, Government, five lists, in duplicate, of petty claims, as per margin, against the estate of the late Nawab of the Carnatic, which have been investigated, and found to be correct.

	RS.	A.	P.
List No. 4, of Dusti-i-Khas	48	0	0
Do. „ 8, of Mirsamani-i-Huzoor	20	0	0
Do. „ 9, of Istifa Cutcherry	3,052	8	0
Do. „ 8, of Transfer Istifa	15	2	3
Do. „ 6, of Mirsamani-i-Durbar, (portion of five lakhs)	886	2	3
Total...	4,021	12	6

2. The claims are eleven in number, and amount to Rupees (4,021-12-6) four thousand and twenty-one, Annas twelve, and Pies six. This amount is included in the Agency Budget for 1868-69.

No. 4.

List of petty claims connected with the Dusti-i-Khas Department.

No.	Names.	Amount admitted. RS.	A.	P.	Remarks.
2	Mahomed Ghouse, Mahomed Hisam-ud-Deen, and Gholam Ahmed, sons; Khateeja Begum, daughter; and Jelanee Bee, widow; heirs of *Hakeem Gholam Dustigeer Khan, deceased*	48	0	0	

(Signed) R. S. WILSON,
Government Agent, Chepauk.

4th December 1868.

No. 8.

List of petty claims connected with the Mirsamani-i-Huzoor Department.

No.	Names.	Amount admitted. RS.	A.	P.	Remarks.
108	Gholam Hoossain Gareeb, Darogha	10	0	0	
109	Sheik Madar, Abdar	10	0	0	
	Total...	20	0	0	

(Signed) R. S. WILSON,
Government Agent, Chepauk.

4th December 1868.

No. 9.

List of petty claims connected with the Istifa Cutcherry.

No.	Names.	Amount admitted. RS.	A.	P.	Remarks.
206	Sheik Madar Abdar	2	8	0	
214	Abdool Khader and Abdool Hameed, sons; Rusool Bee, widow; Fatimah Bee, Habeeb-Oon-Nissa, and Khateejah Bee, daughters; heirs of *Mahomed Aboobucker, deceased*	850	0	0	
215	Soondarum Moodelly	2,200	0	0	
	Total...	3,052	8	0	

(Signed) R. S. WILSON,
Government Agent, Chepauk.

4th December 1868.

No. 8.

LIST of petty claims connected with the Transfer Istifa.

No.	Names.	Amount admitted.			Remarks.
		RS.	A.	P.	
80	Mahomed Ghouse, son; Yaseen Bee, daughter; and Ahmed Bee, widow; heirs of *Mahomed Mucdoom, deceased, Ink supplier*..	15	2	3	

(Signed) R. S. WILSON,
Government Agent, Chepauk.

4*th December* 1868.

No. 6.

LIST of petty claims connected with the Mirsamani-i-Durbar Department, (portion of five lakhs.)

No.	Names.	Amount admitted.			Remarks.
		RS.	A.	P.	
23	Mahomed Ghouse, son; Yaseen Bee, daughter; and Ahmed Bee, widow; heirs of *Mahomed Mucdoom deceased, Ink supplier*..	22	12	0	
24	Mohi-ud-Deen Bee, widow; Khadoo Bee, daughter; Mahomed Yoosuff and Mahomed Avleya, brothers; Abdool Khader and Sheik Dawood, nephews; and Khumroo Bee, niece; heirs of *Gholam Rasool, deceased, Nalbund.*	94	5	3	
25	Abdool Khader Savee..	750	0	0	
26	Mahomed Buksh and Khader Hoossain, sons; heirs of *Sheik Emam, deceased*..	19	1	0	
	Total...	886	2	3	

(Signed) R. S. WILSON,
Government Agent, Chepauk.

4*th December* 1868.

No. 10. ORDER THEREON, 9th December 1868, No. 270.

His Excellency the Governor in Council sanctions the disbursement of Rupees (4,021-12-6) four thousand and twenty-one, Annas twelve, and Pies six, in liquidation of the petty claims against the estate of the late Nawab of the Carnatic, specified in the lists submitted by the Government Agent with his letter above recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 11. Read the following letter from the Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 16th November 1868, No. 276.

My predecessor in this office, Dr. Balfour, submitted to Government with his letter, dated 15th June 1858, No. 1053, a "List, No. 4, of youths" under the age of 18, to whom Government had granted stipends till the completion of their seventeenth year. This list showed the respective ages of those youths on the 30th June 1856. The list was accepted by Government and ordered to be printed. A copy was furnished to this Office, and to the Office of the Civil Auditor.

2. On the 25th of May 1859, it was reported to Government by Major Snow, the Assistant Agent at Chepauk, (and Acting Agent,) No. of letter 892, that the ages of eight of those youths had been erroneously given in "List No. 4," and leave was requested to correct the errors. Government granted the leave required.—G. O., 28th May 1859, No. 332.

3. In 1861, Dr. Balfour again addressed Government on the subject of those youths, and submitted a further list of thirty-three of them, whose ages appeared to him to have been incorrectly stated in the List No. 4. Government sanctioned the correction recommended by Dr. Balfour.—G. O., 11th April 1861, No. 194.

4. In his letter above mentioned, Dr. Balfour states (paragraph 3) that he had "had all those youths before him, for the purpose of comparing the ages" as previously recorded with their then physical appearance. The list furnished with his letter was the result. It would appear, therefore, that such of the recorded ages as were not corrected on the recommendation then given by him, or on that previously made by Major Snow, ought to have been correct. I regret to say, however, that this is not the case. Four errors have been discovered amongst them, of which I beg to annex a note, and to request permission to make the necessary corrections.

NOTE of Carnatic Stipendiaries whose ages are erroneously stated in "List No. 4, of Youths," sanctioned by E. M. C., 5th and 14th July 1858, Nos. 423 and 447.

Nos.	Names.	Ages given in List No., 4 as the ages of the Stipendiaries in question on the 30th June 1856.	True ages of the Stipendiaries in question on the 30th June 1856, as given in the Dewan's List.	Remarks.
3245	Fakeer Chund......	Eight...	Six......	* In this case, the Dewan's List was clearly wrong, and Dr. Balfour fixed the Stipendiary's age at nine years in 1858. By a clerical error he was entered in "List, No. 4, of Youths" as nine years old in 1856.
3656	Syed Mohied Deen... ...	Seven	Do......	
3671	Sreedur Laul.............	Nine...	Seven...	
3672A	Gholam Abdul Cauder ...	Nine	Do.*...... ...	

(Signed) R. S. WILSON,
Government Agent, Chepauk.

16th November 1868.

No. 12. ORDER THEREON, 11th December 1868, No. 272.

The Governor in Council authorizes the correction being made, as recommended by the Government Agent, Chepauk, in respect of the ages of the four individuals specified in the Agent's letter above recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 13. Read the following letter from the Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 16th November 1868, No. 277.

With reference to my letter of this date, No. 276, I regret to be obliged to make a further communication to you on the subject of the ages of the youths stipended by G. O., 5th and 14th July 1858, Nos. 423 and 447.

2. On the 4th April 1861, the then Chepauk Agent (Dr. Balfour) addressed a letter (No. 409) to Government on the subject of those youths. In paragraph 2 of that letter he says, that "After the receipt of the Orders of Government, dated 28th May 1859, No. 332, Major Snow recorded against each name in the Office List his opinion of the age of each. He did this seemingly with the intention of ultimately submitting to Government a further list for sanction." Dr. Balfour then proceeds to carry out the intention spoken of, by submitting a list of all the youths whose ages appeared to him to have been erroneously given, and he revised, with his own hand, the Office list which had already been examined by Major Snow. The Office list thus corrected was one of the office books when I took charge of the office in October 1861, and from it all the lapses of stipends in the class of youths have been reported. Up to the present time its accuracy has not been called in question; but in the report of those youths whose stipends lapsed on the 30th June 1867, two errors have been discovered. I have, therefore, again examined the Office list as to the ages of those still remaining in it, or reported as lapsed since the 1st July 1867, and I find altogether, of those, the names of five stipendiaries whose ages have been erroneously calculated, and the lapses of whose stipends ought, therefore, to have been reported sooner than they have been. I submit a list of those stipendiaries for the Orders of Government. The errors appear to have been simply clerical; there is no appearance of ill-intention.

LIST of youths drawing Stipends till completion of their 17th year, whose ages have been erroneously calculated in the Office List.

Stipend Nos.	Names.	True ages of the Stipendiaries on the 30th June 1856, as shown by the Dewan's list.	Ages of the Stipendiaries on 30th June 1856, as incorrectly given in Office list.	Dates on which stipends should have lapsed, according to the Stipendiary's true ages.	Dates given for lapse of stipends in Office list.	Period for which stipend has been overdrawn.	Amount overdrawn. RS. A. P
2260	Jogul Kishwer..............	Five years.........	Four years.	30th June 1868...	30th June 1869...	Three months, up to 30th September 1868...............	24 0 0
3652	Sohun Laul..................	Seven years ...	Six do.	Do. 1866...	Do. 1867...	One year............................	120 0 0
3656	Syud Mahied Deen..........	Six (1) do. ...	Five do.	Do. 1867...	Do. 1868...	One year............................	84 0 0
3671	Sreedur Laul................	Seven (2) do. ...	Four do.	Do. 1866...	Do. 1869...	2¼ years, up to 30th September 1868..................	162 0 0
3672A	Gholam Abdul Cawder. ..	Seven (3) do. ...	Nine do.	Do. 1866...	Do. 1867...	One year............................	240 0 0
						Total...	630 0 0

The ages assigned in this list to the Stipendiaries marked (1), (2), are the ages given them in the Dewan's list, (furnished to this Office in 1855-56,) from which the "List No. 4, of youths," mentioned in my letter to the Chief Secretary, dated 16th November 1868, No. 276, was compiled. As respects the ages of those two Stipendiaries that "List No. 4 of youths" is incorrect. In my above-mentioned letter to the Chief Secretary leave to correct that list, as regards these two Stipendiaries, has been requested.

As regards the Stipendiary marked (3) in this list, it is to be explained that the age originally given him in the Dewan's list, was found, in 1858, to be altogether erroneous. The then Agent, therefore, in submitting his name to Government for stipend, (Progressive List No. 57, sanctioned by G. O. of 14th July 1868, No. 447,) gave him the age which his appearance then (1858) seemed to warrant, viz., nine years. This age has been by a clerical error entered in "List No. 4 of youths" as the age of the Stipendiary in 1856. Leave to correct this error has also been requested.

It will be remarked that, in each of these cases, there has been a double error. One in entering the Stipendiary's age in "List No. 4 of youths," and another in calculating the date of lapse in the Office list. In my letter to the Chief Secretary, dated 16th November 1868, No. 276, I have requested permission to correct the first class of errors; as to the second class I have corrected the Office list so as to prevent any future mistakes; but orders are required as to those which have already occurred.

GOVERNMENT AGENT'S OFFICE,
CHEPAUK,
16*th November* 1868.

(Signed) R. S. WILSON,
Govt. Agent, Chepauk.

No. 14. ORDER THEREON, 12th December 1868, No. 273.

Under the circumstances stated in the letter above recorded from the Government Agent, Chepauk, and as there does not appear to have been any fraudulent intention, the Governor in Council does not consider it necessary to direct the recovery of Rupees 630, being the amount of stipends overdrawn by five youths whose ages were incorrectly entered in the Agency Lists.

(Signed) R. S. ELLIS,
Chief Secretary.

Read again Proceedings of Government, in this Department, dated 5th and 19th October 1868, Nos. 217 and 226.

Read also the following papers :—

No. 15. Telegram from the Resident of Travancore, to the Chief Secretary to Government, Fort Saint George ; dated Nagercoil, 12th October 1868.

Urgent. Can Sirkar authorities, or Resident, as Justice of the Peace, place Liddell under surveillance, pending his committal to High Court for trial without previous process of said Court, or must he escape scot-free and evade justice ? Please telegraph reply to-day.

No. 16. Telegram from the Chief Secretary to Government, Fort Saint George, to the Resident of Travancore, Nagercoil ; dated Madras, 12th October 1868.

If a criminal charge be preferred against Liddell you, as a Justice of the Peace, are empowered to keep him in custody, whilst satisfying yourself whether there is evidence to justify his committal to the High Court.

No. 17. Telegram from the Resident of Travancore, to the Chief Secretary to Government, Fort Saint George ; dated Trivandrum, 19th October 1868.

Does my Commission, as Justice of Peace for Madras Presidency, hold good in foreign territory ? If not, please arrange for new Commission. If oath is required, before whom to be taken ?

No. 375.

No. 18. MEMORANDUM.

The undersigned has the honor to enclose copy of a telegraph message from the Resident in Travancore and Cochin, and requests that the Government Solicitor will obtain from the office of the Clerk of the Crown copy of the Commission of Peace issued in 1840 to Mr. H. Newill, and submit it, together with the telegraph message, to the Advocate General for his opinion.

FORT SAINT GEORGE,
22nd October 1868.

(Signed) R. S. ELLIS,
Chief Secretary.

To the Government Solicitor.

No. 19. From the Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 23rd October 1868, No. 614.

I have the honor to acknowledge your Official Memorandum, No. 375, in the Political Department, of yesterday's date, requesting me to obtain, for the information of Government, Mr. Advocate General's opinion as to the authority of Mr. H. Newill, as a Justice of the Peace, appointed under a Commission issued in 1840, to exercise his powers as such in Travancore.

2. I submitted the question, together with the Commission under which Mr. Newill was appointed a Justice of the Peace, (and which I have obtained from the Clerk of the Crown's Office,) for the consideration of the Advocate General, and have also conferred with him on the subject ; and,

3. I now forward a copy of his Opinion.

OPINION.

Mr. Newill has no authority, in my opinion, to discharge any of the functions of a Justice of the Peace in the kingdom of Travancore. His Commission, following the words of 33, Geo. III,

Ch. 52, under which it was issued, extends only to " the Town of Madras and Presidency of Fort Saint George, and the places subordinate thereto."

2. Travancore is clearly not subordinate to the Government of Fort Saint George. It is the kingdom of a Native Prince in alliance with the British Crown.

3. There is no statute subsequent to 33, Geo. III, Ch. 52, under which more extensive jurisdiction can be conferred by the Governor in Council on Mr. Newill.

(Signed) J. B. NORTON,
Advocate General.

23rd October 1868.

(True Copy).

(Signed) H. J. BROCKMAN,
Govt. Solicitor.

No. 20. Telegram from the Resident of Travancore, to the Chief Secretary to Government, Fort Saint George ; dated Trivandurum, 19th October 1868.

Urgent. The Travancore Government earnestly desires to be heard on the question of jurisdiction of Travancore Courts over European British subjects before the order of Government for Liddell's release is carried out. Main arguments urged are: first, this jurisdiction is an inherent right of sovereignty ; second, Travancore is ruled by its own ruler, and possesses that inherent right ; third, that right has never been ceded ; and fourth, Governor General's notification, relied upon by Advocate General, did not intend to deprive Travancore and other Native States of this right, but only distributed what right of jurisdiction the British Government already possessed. Papers will be sent complete by to-day's post. If Government negative the plea submitted by telegram, that Liddell waived the question of jurisdiction, please telegraph whether I shall keep matters in abeyance, pending further consideration of case by Government. If on commitment of Liddell to High Court, Madras, it takes a different view to that adopted by Government justice will fail.

No. 21. Telegram from the Chief Secretary to Government, Fort Saint George, to the Resident of Travancore ; dated Trivandrum, 22nd October 1868.

The Governor in Council authorizes the Resident to suspend the execution of the order of Government, number two hundred and seventeen, dated fifth October, in the case of Mr. Liddell, until the representations of the Government of Travancore have been received and considered by Government.

Copy by Telegram to the Dewan of Travancore.

No. 22. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trivandrum, 19th October 1868, No. 56.

I have the honor to acknowledge the receipt of the Proceedings of the Madras Government, dated 5th instant, No. 217, regarding the case of Mr. Liddell, a European British subject, sentenced by the Travancore Court to one year's imprisonment.

2. The instructions of Government were duly intimated to His Highness the Maharajah's Government, and attention invited, as requested, to the Advocate General's opinion, that the illegality of jurisdiction did not bar a prosecution in the Madras High Court on the part of His Highness' Government.

3. I at the same time addressed you in my telegram of 12th instant regarding the procedure to be adopted, and duly received yours of the same date in reply.

4. The Travancore Government, acting upon the suggestion of the Advocate General, forwarded to me, as one of Her Majesty's Justices of the Peace, a criminal charge against Mr. Liddell, and likewise raised the plea that he had, at the time of trial, waived the question of jurisdiction. To this I at once replied that I considered that " the consent of the prisoner could not create any jurisdiction where it did not already exist. I found, however, that the Dewan had forwarded direct to you by telegram copy of his communication to me, and I considered it desirable, as intimated by telegram, to allow matters to remain in abeyance, pending the reply to this question, which it seemed was referred to the Advocate General. This has just been received.

5. I have already despatched to you a telegram,* stating that His Highness' Government earnestly desires to be heard on the question of the jurisdiction of the Travancore Courts over European British subjects, and I have now the honor to forward a letter,† with its enclosures, from the Dewan of Travancore, stating at length the arguments which His Highness' Government wish to adduce in support of the claim to jurisdiction, as exercised in the case of Mr. Liddell.

* Copy enclosed.

† Sent in original to save time, and to be returned.

6. The several points are briefly and clearly enumerated at the commencement of the Dewan's letter, and as the Government will probably see fit to submit these further arguments for legal opinion, it does not seem necessary for me to enter upon them here, particularly as the question at issue is purely one of legal interpretation, and not relating to the policy and expediency of the measure affected by it.

7. It will, however, be seen that the question of jurisdiction, as now raised upon the notification of the Governor General of India, dated 10th January 1867, is applicable to the Native States of India generally, and thus one of an imperial character and of great importance beyond the present case out of which it has arisen. The question also of the concurrent jurisdiction over European British subjects by the British and Native Governments seems also involved in the present discussion.

8. In my telegram of this date I have solicited instructions as to whether, under the circumstances, I should continue to keep things in abeyance, pending the further consideration and final disposal of the matter, pointing out that should Mr. Liddell be committed to the High Court at Madras, and that tribunal take a different view to that adopted by the Government, there would be a complete failure of justice, as I presume the Travancore Government, having once issued the order for Mr. Liddell's release, could not re-apprehend him under any circumstances for the purpose of undergoing the remainder of his sentence. There is also no medium course between the release by the Travancore Government and the commitment (if the preliminary inquiry warrants that course) to the High Court for a new trial, as the offences with which the prisoner is charged are not bailable.

9. I have further by telegram* requested advice as to whether my Commission, as a Justice of the Peace for the Madras Presidency, holds good in a Foreign State, or whether a new Commission is required in the event of my being called upon to act in Mr. Liddell's case, and requested that if such is necessary the requisite steps should be taken in the matter. On this point too I await the orders of Government.

* Copy enclosed.

From the Dewan of Travancore, to the British Resident of Travancore, &c., &c., &c. ; dated Trivandrum, 19th October 1868.

I have now the honor to address you in fulfilment of my promise to do so on the general question of the jurisdiction of the Travancore Courts over European British subjects residing in these territories.

2. At the outset I beg permission to state very briefly, but most respectfully, my argument on the subject. It is as follows :—

(*a.*)—The jurisdiction in question is an inherent right of sovereignty.

(*b.*)—The Travancore State being one ruled by its own ruler, possesses that inherent right.

(*c.*)—It has not been shown on behalf of the British Government that the Travancore State ever ceded this right, because it was never ceded.

(*d.*)—The Governor General's notification, relied upon by the Advocate General, did not mean to deprive Travancore of this right, but only *distributed* what right the British Government had already possessed under international law over its own subjects residing out of British territory, such British right being in no way incompatible with that claimed and possessed by Travancore.

3. I beg now to be permitted to enlarge upon some of these positions.

4. Point (*a*) is—"The jurisdiction in question is an inherent right of sovereignty." In support of this I invite attention to the following extract from Vattel's Law of Nations :*—

* Page 172, new Edition by Chitty, 1834.

"But even in those countries which every "foreigner may freely enter, the sovereign is supposed to allow him access only upon this tacit "condition, that he be subject to the laws—I mean the general laws made to maintain good order, "and which have no relation to the title of citizen or of subject of the State. The public safety, "the rights of the nation and of the Prince, necessarily require this condition, and the foreigner "tacitly submits to it as soon as he enters the country, as he cannot presume that he has access "upon any other footing. The sovereignty is the right to command in the whole country, and "the laws are not simply confined to regulating the conduct of the citizens towards each other, "but also determine what is to be observed by all orders of people throughout the whole extent of "the State.

"In virtue of this submission, foreigners who commit faults are to be punished according to "the laws of the country. The object of punishment is to cause the laws to be respected, and to "maintain order and safety."

5. Again Wheaton says, (page 151)*—"When private individuals of one nation spread them-"selves through another as business or caprice "may direct, mingling indiscriminately with "the inhabitants of that other; or when mer-"chant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous "to society, and would subject the laws to continual infraction, and the Government to degreda-"tion, if such individuals did not owe temporary and local allegiance, and were not amenable to "the jurisdiction of the country."

* 6th Edition.

6. Story in his "Conflict of Laws" speaks as follows to the same effect, (page 987)† :—Par-"dessus has affirmed a similar principle. 'In all 'the States of Christendom,' says he, 'by a sort 'of general consent and uniformity of practice, 'the prosecution and punishment of penal offences are left to the tribunals of the country where 'they are committed. The principle of the French legislation, that the laws of police and bail 'are obligatory upon all who are within the territory, is a principle of common right in all nations.' "Bouhier also admits the locality, or, as he terms it, the reality of penal laws, and of course "he limits their operation to the territory of the sovereignty within which they are committed."

† 5th Edition.

7. Further authorities it would be superfluous to invoke.

8. To proceed to point (*b*), which is—"The Travancore State being one ruled by its own "ruler possesses that inherent right." I presume that the former part of this proposition will be at once admitted, and there is no necessity for proving that Travancore is ruled by its own ruler. Even Sundoor (pertaining to the Madras District of Bellary) has been declared by the learned Judges of the Madras High Court so recently as in last year to be 'the State of a Native ruler," and as such the subject of international law—Vide Queen *versus* Vencanna and Narasa, reported at page 354 of the Madras High Court Reports‡ for 1866, 1867, and 1868. *A fortiori* is Travancore such a State, and being such it follows, of course, that it possesses the right of sovereignty under discussion, and which belongs to all such States.

‡ Extract enclosed.

9. The possession and actual exercise of the right in question by the Travancore State aret known to the British Government. The Advocate General admits the fact.

10. We now come to point (*c*) which is—"It has not been shown on behalf of the British "Government that the Travancore State ever ceded this right, because it was never ceded."

11. I need hardly dwell at any considerable length on this head. If a right is one inheren in a State, and the State has possessed and exercised it, it is evident that another State cannot obtain it without a cession by treaty; but there was no such cession ever made by Travancore. I observe from the High Court case, cited in paragraph 5 of this letter, that the British Govern-

ment had to enter into a *special compact* with the Chief of Sundoor to obtain from him the right of exclusive jurisdiction to try certain European subjects and their followers for offences committed in a certain part of the Sundoor territory. This shows that the British Government itself thought it necessary, in view to obtain exclusive jurisdiction, to enter into special compact with the Sundoor Chief. How then, it may be asked, could the British Government obtain a similar but still more extensive jurisdiction in the case of Travancore *without the consent of Travancore ?*

12. It remains now to notice the argument under the head marked (*d*), which is—"The Governor General's notification, relied upon by the Advocate General, did not mean to deprive Travancore of this right, but only *distributed* what right the British Government had already possessed under international law over its own subjects residing out of British territory, such British right being in no way incompatible with that claimed and possessed by Travancore."

13. The Advocate General seems to think that this notification *extended* the *jurisdiction of the British Government,* and *thereby circumscribed that of the Native States*; but this notification, I beg to submit, does not seem to contain any expression, conveying the idea that the Governor General was assuming any jurisdiction *beyond what he already possessed at the time of the notification,* or *curtailing the jurisdiction then belonging to the Native States.* So far as I can understand it, I interpret it to mean that the Governor General did not in any way alter the extent of the jurisdiction of either the British Government or of Native States, but simply *distributed* what jurisdiction then already belonged to the British Government among the several British Courts. This distribution, doubtless, altered the jurisdiction of the *British Courts among themselves,* that is, it probably extended the jurisdiction of some British Courts in the proportion it reduced that of others ; but I beg to repeat that this did not affect the *aggregate jurisdiction of the British Government in relation to that of each Native State.*

14. This construction appears to be borne out by the wording of the notification itself. At the very beginning the words run thus—"The Governor General in Council is pleased to declare, "*with reference to local situation and facility of communication.*" These words evidently imply a distribution, not an extension of jurisdiction. Thus Coorg, which I believe was formerly under the jurisdiction of the High Court of Calcutta, is now brought under that of Madras ; and in the following paragraph where the Native States are distributed among the High Courts, the word "similarly" is used to show that here also the distribution is made in reference to local situation and facility of communication. Again, if the paragraph of the notification in regard to Native States is taken to imply an *extinction* of Native jurisdiction over European British subjects, and the *extension* of British jurisdiction over them, similarly must the preceding paragraph of the same notification be taken to imply the *extension* of British jurisdiction over Oudh and Coorg ; but it is plain that there need have been no *extension* of *British jurisdiction* to embrace those provinces, Oudh and Coorg, at the time of the notification, having already been directly under British Government. The object thus stated is consistent with the interpretation I contend for, while it would not consist with the hypothesis that the notification *extended* the criminal jurisdiction of the British sovereignty, and *curtailed* that of Native rulers, which, I presume, could only be done (granting, as I have no doubt it will be, that Travancore is the subject of international law) as a matter of mutual agreement, and with the consent of the State, whose jurisdiction is affected thereby. Indeed, I cannot imagine that, in so grave a matter, the highest authority in India would proceed to divest a faithful Native State of its powers without previously consulting that State on the subject.

15. A question may here naturally arise, what then is the jurisdiction to which the Governor General alluded in the notification, and which I contend he simply redistributed ; and is original criminal jurisdiction on the part of the Madras High Court over European British subjects of Her Majesty, being Christians, resident in the Native State of Travancore, at all compatible with the jurisdiction claimed for Travancore ?

16. The answer, in my humble opinion, is this—The British Government, in common with every State guided by the principles of international law, has the judicial power to punish all offences against *British municipal laws,* committed by its subjects, *wheresoever* committed, *i.e.*,

even when committed *outside British territory*—Vide page 174, Wheaton. Accordingly, wherever the British subject resides he is bound to respect British laws, and is responsible to the British Courts for breach of such laws, that is to say, when the offender can be reached by those Courts. It is in relation to this general judicial power of the British Government over its own subjects, irrespective of the subject's place of residence, that I think the Governor General's notification under discussion distributes the jurisdiction of British Courts. But, because the British Government retains and asserts the power to punish through its own Courts its subjects, though residing in the territories of another State, for offences committed by such subjects against *British laws*, it cannot, therefore, follow as a necessary sequence that the British Government *absolves* such subjects from responsibility to the Courts of the country in which they reside for transgressions of the laws of *that* country. In other words, because the British Government enjoins its subjects, resident in foreign countries, to continue to respect British laws, it does not follow that it, in effect, tells them not to respect the laws of those foreign countries. In short, the jurisdiction conferred upon British Courts to try British subjects for offences against British laws, wherever committed, does not *exclude* the jurisdiction which belongs to the State, in whose territory those subjects reside, to try offences against its own laws. Practically then, a British subject residing in Travancore has two distinct sets of laws to obey ; he should obey British laws, and he should obey Travancore laws. For breach of the former laws he is punishable by British Courts, and for breach of the latter laws he is punishable by the Travancore Courts. Hence the jurisdictions are not conflicting or incompatible. They are co-existent and reconcileable.

17. In support of this view of the matter I would, besides referring to the Treatise of Wheaton, cite the following passage from Stephen's Commentaries on the Laws of England :—" Al-" legiance, both expressed and implied, is however distinguished by the law into two sorts or " species, the one natural, the other local ; the former being also perpetual, the latter temporary. " Natural allegiance is such as is due from natural born subjects. This is a tie which cannot be " severed or altered by any change of time, place, or circumstance, nor by anything but the " united concurrence of the legislature. An Englishman who removes to France or to China, " owes the same allegiance to the King of England there as at Home, and twenty years hence " as well as now ; for it is a principle of law that the natural born subject of one Prince cannot " by any act of his own, no, not by swearing allegiance to another, put off or discharge his " natural allegiance to the former, for this natural allegiance was intrinsic and primitive, and " antecedent to the other, and cannot be divested without the concurrent act of that Prince to " whom it was first due. Indeed, the natural born subject of one Prince, to whom he owes alle-" giance, may be entangled by subjecting himself absolutely to another ; but it is his own act that " brings him into these straits and difficulties, of owing service to two masters ; and it is unrea-" sonable that, by such voluntary act of his own, he should be able at pleasure to unloose those " bands by which he is connected to his natural Prince. In certain cases he may forfeit his rights " as a British subject by adhering to a foreign power, but he remains always liable to his duties; " and, if in the course of such employment he violates the laws of his native country, he will be " exposed to punishment when he comes within reach of her tribunals."

18. It is not diffcult to give instances wherein the jurisdiction retained by the British Government over its subjects residing in a foreign country would come into play, while that belonging to the foreign country would not. A European British subject in a foreign country conspires with the Government of that foreign country against the British Government ; or a servant of the British Government, residing in the foreign country, but forbidden by British laws from receiving any gratification from the Government of the foreign country, receives such gratification ; or a British subject assists in a suttee in a Native State.* In all such and other imaginable cases of the kind, the offence is against *British laws*, and hence British Courts have been given jurisdiction to try such offences even though committed in foreign countries. Again, a European British subject, residing in a Native State, commits an offence, say murder, punishable by both British laws

* Vide Notification in *Fort Saint George Gazette* immediately preceding the Governor General's Notification about Jurisdiction, page 138 of Vol. for 1867, and Act VIII. of 1863 therein referred to.

and those of the Native State. He takes refuge in British territory. According to Act I of 1849 he is not to be delivered up to the Native State, but to be tried by a British Court. The notification of the Governor General only shows which British Court is to have jurisdiction in cases of the kind. If this interpretation be not the correct one, and if the notification were really to have the effect stated by the Advocate General, cases may be imagined in which a failure of justice would be inevitable, and the utmost embarrassment might be inflicted upon the Native State. For instance, suppose a European British subject, residing in Travancore, smuggle tobacco into these territories, which is an offence criminally punishable under Travancore laws, but not so under British Indian laws. If Travancore have no jurisdiction to try such an offender, how is he to be proceeded against ?

19. The Governor General's notification refers only to "European British subjects of Her Majesty being Christians." This, I conceive, is simply because it is only them that the Governor General has chosen to subject to the original jurisdiction of the *High Courts*. The jurisdiction which the British Government has over its other subjects in similar cases is, I presume, exercised by other British Courts under such British laws in respect to jurisdiction as remain untouched by the notification in question.

20. If such be not the construction of this notification, we must suppose that, at one stroke, the Governor General has deemed it proper to deprive all Native States in British India, including Nepaul and Bhootan, of an important right inherent to each State ruled by its own ruler; that the Governor General has done this contrary to the principles of international law which governs the relations between States without respect to their territorial extent, power, or wealth; that he has taken a step so vitally affecting the power, of each State to protect its own subjects against the offences of aliens without any consultation with, or even notice to the Native States ; and that all the Native States have thus been suddenly divested of a right, a small fraction of which it was not thought proper by the British Government to take from the Chief of Sundoor without his consent.

21. Besides, I beg to inform you that there is correspondence on my records, clearly showing that the British Government fully recognized the right of Travancore to try Europeans residing in its territories. Some extracts from that correspondence I beg to subjoin for your information. When the understanding is so clear, could it be supposed that the highest authority in British India, after such distinct recognition of Travancore's inherent right, would extinguish that right without saying a word to Travancore ?

22. In conclusion, I beg to apologize for the length of this representation. I may add that I submit these views of mine with diffidence, but still hope that they will meet with the consideration that the importance of the question deserves.

Extracts from Correspondence.

Copy of a letter from the Secretary to the Government of India, to the Secretary to Government, Fort Saint George ; dated Fort William, 12th June 1837.

I am desired by the Right Honorable the Governor General of India in Council to acknowledge the receipt of your letter, dated the 25th ultimo, transmitting copies of two letters from the Resident in Travancore and Cochin relative to the jurisdiction to which Europeans in Travancore and Cochin are to be considered subject in criminal and civil cases, and requesting to be informed of the practice which exists in Bengal in respect to the jurisdiction to which Europeans, not in the service of Government, residing in the dominions of Native Princes, are amenable, and also the definition of the terms European and British subjects.

2. In reply, I am desired to acquaint you that Europeans residing in the territory of Native States, not being servants of the British Government, must be held to be in all respects and in all cases, civil and criminal, subject to the law of the country in which they reside.

3. On the subject of the definition to be given to the terms "European and British subjects," I am desired to observe that the question is one of no ordinary difficulty, and has been the subject of much legal discussion and consideration ; His Lordship in Council would prefer, therefore, to refrain from attempting in this place a definition of those terms, which might prove erroneous or

imperfect, and calculated to mislead. Should any particular case arise requiring a particular consideration of the question, whereon it may appear to the Right Honorable the Governor in Council to be necessary or advisable to consult the Supreme Government, I am desired to state that the Governor General in Council will be prepared to give his best attention to the reference.

Copy of a Memorandum from General FRASER, Resident in Travancore and Cochin, to the Dewan of Travancore ; dated Trivandrum, 13th July 1837, No. 1236.

The Acting Dewan of Travancore is requested to cause it to be communicated to all Europeans who may be residing at Alwaye, in the Travancore territory, and also to Mr. Vernede at Paliport, that it has been established as a rule by the British Government, that Europeans residing in the territory of Travancore or other Native States, not being servants of the British Government, must be held to be in all respects and in all cases, civil and criminal, subject to the laws of the country in which they reside.

Copy of a letter from General FRASER, Resident in Travancore and Cochin, to the Dewan of Travancore ; dated Trivandrum, 14th August 1837, No. 1464.

With reference to my two letters to your address, under date respectively the 24th May last and 12th ultimo, I have the Honor to acquaint you that it is intended by the Government of Fort Saint George that the rules therein referred to shall be applicable to European travellers and visitors, equally with residents, in the territories of Travancore.

APPELLATE JURISDICTION. *

The Queen v. Vencanna and Narasa.

The Session Court of Bellary has no jurisdiction under the Penal Code to try Native subjects of the Jaghiredar, or Rajah, of Sundoor for offences committed in the plateau of Ramandroog upon Native inhabitants of the village of Ramandroog.

Ramandroog is a portion of the territory of Sundoor, and the Rajah is in the position of a Native Chief or Ruler.

A treaty entered into by the late Rajah of Sundoor with the Government of Madras contained the following stipulation :—

" It being probable that, as European Officers take up their residence on the said hill, many servants, tradesmen, private persons, and others will reside there, I have relinquished to the Company's Government the Police and Magisterial functions of maintaining peace, and trying and punishing offences committed by such people, such as violence, petty crimes, thefts, murder, &c. The Collector is to have jurisdiction in such matters."

Held, that this treaty did not give the Session Court of Bellary jurisdiction, but it surrendered exclusive criminal jurisdiction over a limited class of persons, namely, Europeans and their servants, and all other resident persons not Native subjects of the Rajah, and left the Government unfettered to provide in the way they deemed right for the trial and punishment of offences committed by such persons.

23rd October 1867.

This was a case referred by the Magistrate of Bellary, under Section 404 of the Code of Criminal Procedure, for the opinion of the High Court.

The Magistrate forwarded the proceedings of a case wherein two persons, Native Talarics, in the employ of the Rajah of Sundoor, were committed by the Head Assistant Magistrate of Bellary for trial by the Session Judge of Bellary for offences under the Penal Code committed upon the plateau of Ramandroog, and the prisoners were discharged by the Session Judge upon the ground that he had no jurisdiction to dispose of the case.

The question for the decision of the Session Judge was, whether the plateau of Ramandroog was a portion of British India, as defined in the Penal Code.

* Present—Scotland, C. J., Holloway and Collett, Js.

For the defendant it was contended that Ramandroog was a portion of the territory vested in the Jaghiredar (or Rajah) of Sundoor by virtue of various sunnuds granted by the Madras Government. On the part of the prosecution the contention was that the right of administering criminal justice at Ramandroog was ceded to the British Government by the late holder of the Jaghire, and that the transfer of criminal jurisdiction over the said tract was duly notified in the *Fort Saint George Gazette* of the 24th October 1848.

The following is a translation of the Tahanamah or Treaty by which the cession was made :—

Translation of a Treaty tendered by the Rajah of Sundoor, dated 12th Sabhan, corresponding to the month Ashoda of the year Plavanga, to Company Cirkar.

I, Vencatrow, Hindoo Row, Ghorpada Mamalkot Madar, Sanapatti, the Somistanie of Sundoor, do execute this Tahanamah to the following effect :—The table-land on Ramgod, situated in my Jaghire, being suitable for the residence of Europeans, some gentlemen have already built their bungalows on it, while others are likely to do so; and, moreover, the subject of erecting barracks by Government at the place is under consideration. I have, therefore, been desired by A. Mellor, Esq., the Collector of Bellary, to state, for the information of Government, on what conditions I would willingly give up the said table-land, and I have entered into the following agreement :—

1st.—The ownership of the said land of Ramgod shall, as usual, remain firm to me. There shall be no objection on my part to the grant, on fixed rent, of as much of the land as may be required for Government, as well as for Officers to build their own houses, &c., upon. The area of the land already occupied by the bungalows of the Officers, as well as that to be built upon hereafter by Government and Officers, shall be surveyed and assessed according to the local usage. The assessment to be paid every year to me.

I shall continue to receive whatever income may be derivable from rent of fruit trees, jungle, &c., connected with the said hill.

23rd October 1847.

I have reserved for myself the power of renting out the sale of country arrack and toddy on the said hill, and of imposing a tax with their own consent on merchants who may open shops for trade there, and of levying the same. The Company's Government shall not interfere in the matter.

It being probable that, as European Officers take up their residence on the said hill, many servants, tradesmen, private persons, and others will reside there, I have relinquished to the Company's Government the Police and Magisterial functions of maintaining peace, and trying and punishing offences committed by such people, such as violence, petty crimes, thefts, murder, &c. The Collector is to have jurisdiction in such matters.

Whatever hidden property, such as money, or other property and jewels, may be found in erecting bungalows and houses, or in excavating earth for any purpose in the land appertaining to the said hill, shall be delivered over to me; the Company's Government shall have nothing to do with it. I have thus executed this Tahanamah of my own free will on this 12th day of Sabhan, corresponding with the month of Ashoda of the year Plavanga Katatal.

The notification, published in the *Fort Saint George Gazette* of the 24th October 1848, announced that the Ramandroog tract, lately appertaining to the Sundoor Jaghire, in the district of Bellary, had been transferred to the Government of Fort Saint George, and incorporated with the Taluq of Cudlighi in that district, and the jurisdiction of the Criminal Courts and Police authorities of the district of Bellary was thereby declared to extend over the said hill, according to the boundaries which were on record in the Collector's Office, and the Criminal Courts of the district of Bellary were required to take cognizance of all offences committed within the prescribed limits.

The Session Judge observed that if the notification had remained intact, and had not been altered and modified under an authority similar to that under which it was originally issued, the territory would have become vested in the East India Company, and would have come under the definition laid down in Section 15 of the Penal Code. But he held that the Government, by their subsequent proceedings, virtually cancelled the notification so far as the transfer of territory was concerned, and merely claimed what was ceded by the treaty, and that was only the right to exercise criminal jurisdiction within certain limits on the hill. The portion of the Sundoor Rajah's

territory, known as Ramandroog, had not been ceded and had not become vested in Her Majesty. It was a foreign territory over which a foreign Prince exercised acts of sovereignty, and could not be considered British India, as defined by Section 15 of the Penal Code.

The last sunnud granted by the Government of Madras to the Jaghiredar of Sundoor was in the following terms :—

To Shiva Shannukha Rau Ghorpada, Jaghiredar of Sundoor.

"His Excellency the Governor in Council of Fort Saint George has been pleased to renew in your name the sunnud granted to Vencatrow Ghorpada, under date the 12th January 1841, conferring on him and his heirs for ever in Jaghire the lands of Sundoor free of peishcush and pecuniary demand.

"You shall have the entire management of the Revenue and Police of your Jaghire, and also the duty of administering civil justice, subject to the undermentioned conditions :—

"You shall at all times maintain faith and allegiance to Her Majesty's Government, their enemies shall be your enemies, their friends shall be your friends. You shall assist Her Majesty's Government to the utmost of your power against foreign and domestic foes. You shall maintain a strict watch over the public peace in your Jaghire. You shall not afford asylum to offenders from the districts of the Government of India, but shall either deliver them up or assist the Officer of Her Majesty's Government who may be sent in pursuit of them. You shall cause justice to be rendered to inhabitants of the districts of the Government of India and others who may have pecuniary claims on any of the inhabitants of Sundoor.

"In the administration of criminal justice within your Jaghire you shall abstain from the punishment of mutilating criminals, and shall not sentence capitally, or execute persons capitally convicted without the sanction of Government previously obtained, but shall refer all cases appearing to you to call for such punishments for the consideration and orders of the Governor in Council. You shall be answerable to Her Majesty's Government for the good Government of your Jaghire, and if ever it should happen that, in consequence of misgovernment, the interposition of Her Majesty's Government should become necessary, the Governor in Council of Fort Saint George will in such case take such measures as may appear just and proper for restoring order and providing for the security of the people.

"Given under the seal of Her Majesty's Government, and signature of the Governor in Council in Fort Saint George, this thirteenth day of October one thousand eight hundred and sixty three."

The questions proposed by the Magistrate of Bellary for the opinion of the High Court were— 1. Whether the plateau of Ramandroog is a part of British India within the meaning of Section 15 of the Indian Penal Code. 2. If it is not, whether the judicial authorities in Bellary have jurisdiction over any and what classes of persons who may appear to have committed offences on that plateau. 3. Whether such persons should be tried under the provisions of the Penal Code, or, if it should be inapplicable, then under what law should they be tried ?

The Acting Advocate General appeared for the prosecution, and Mr. O'Sullivan for the defendants.

Judgment.—This is a case referred for the consideration of the Court under Section 404 of the Criminal Procedure Code, and the question raised is, whether the Session Judge of Bellary has rightly decided that he is without jurisdiction to try certain persons charged with having committed the offences under the Penal Code of wrongful restraint and kidnapping on the plateau of Ramandroog. But the case involves also the broad question whether or not the administration of criminal law over the plateau rests entirely with the Jaghiredar, or Rajah (as he is commonly styled) of Sundoor, as the Chief or Ruler of a Native State, or with Her Majesty's Indian Government.

The persons charged with the offences were, it appears, Native Wallakars or Talaries in the employ of the Rajah, and the persons alleged to have been wrongfully restrained and kidnapped were Natives, inhabitants of the village of Ramandroog. The solution, therefore, of the point of the Session Court's jurisdiction depends solely upon the place of the alleged offences being or not being part of the territories vested in Her Majesty by the Statute 21 and 22 Victoria, Chapter 106.

Now, unquestionably, by the notification published in the *Gazette* of the 24th of October 1848, the then Government declared the place to be incorporated with the Taluq of Cudlighi, in the district of Bellary, and extended to all offences there committed the jurisdiction of the Criminal Courts and Police authorities of that district, and if the fact had been that Her Majesty's Government insisted on the enforcement of that notification against the Rajah in the interests of the State, whether rightfully or wrongfully, this and every Court of Justice sitting within the Queen's dominions would be bound to treat that act of incorporation as conclusive, and at once uphold the jurisdiction of the Session Court. But the Acting Advocate General, representing the Government, has altogether disclaimed any reliance on the notification as an independent act of State, and rested the claim of jurisdiction on the Rajah's subordinate position under his sunnud, and on the Tahanamah of the 25th July 1847, which appears, from the Government Order of the 2nd October 1865, to have been avowedly the basis of the notification.

We have then, in the first place, to consider whether there is any support for the contention that the Rajah is not in the position of the Chief or Ruler of a State. The history of Sundoor appears to be this—It was, until the conquest of Hyder Ally, part of the dominions of the Mahratta ruler of Gooty, and in 1790 it was retaken from Tippoo Sultan's Killadar and passed into the possession of Sheeva Row, who held it during the second Maharatta war in 1817. He had maintained his independence against the Peishwa, but in that year surrendered to General Munro, whose stipulations for the grant of a Jaghire in exchange for his territory were confirmed by the Government, but not acted upon. In the succeeding year his former territory was restored to Sheeva Row by the Governor General, and eight years after he received a sunnud from the Government, the form of which is given in Aitchison's Collection of Treaties, &c., Volume 5, page 340. From that time to the present each successor to the territory has received a sunnud in the like form, excepting the restriction that the Rajah should not mutilate criminals, nor inflict capital punishment without the sanction of the Government, which was introduced into the sunnud granted in 1841 to the late Rajah—(See the form at page 341 of the same Volume.)

From these facts it clearly appears that, on the restoration, the territory of Sundoor became, as it had been before, the State of a Native Chief or Ruler, and that it has so continued to the present time. The sunnuds do no doubt grant the lands in Jaghire and establish a relation of subordination to the paramount British Government. But the powers recognized, and the obligations enjoined by the stipulations in the sunnuds, are wholly incompatible with the position of an ordinary Jaghiredar, and consistent only with that of the ruler of a State. A strong confirmation of the territory being the State of a ruling Prince or Chief (if confirmation was wanted) is afforded by the sunnud addressed to the Rajah by Earl Canning in 1862, to the effect that the British Government would recognize the adoption of a successor made by himself or any future Chief of his State, and by the order of the present Viceroy in Council, published in February 1867, declaring, under the Statute 27 and 28 Victoria, Chapter 15, the original criminal jurisdiction of the High Court to extend to European British subjects, being Christians, resident in the Native States and Chiefships named therein, of which Sundoor is one. The Tahanamah too, and the correspondence which led to it, are fatal to the argument that it has become British territory.

It is hardly necessary in this case to cite authority to show that international law recognizes semi-sovereign States, that is, States which are placed in subordination to another protecting State in regard to the exercise of some sovereign powers of Government. The public law of Europe and America is clearly so—See Wheaton's International Law, 59-70, and I. Phil., 91-94. And India furnishes numerous instances of the recognition of such States, the rulers holding sunnuds from the Government.

Having arrived at the conclusion that Sundoor is the State of a Native ruler, though subordinate to the British power, we have next to consider what is the meaning of the Tahanamah given by the Rajah in 1847. It sets forth that European gentlemen had built bungalows on the plateau, and others were likely to do the same; that the erection of barracks by the Government was under consideration, and that the Collector desired to know on what conditions the plateau would willingly be given up. It then stipulates that the ownership of the land should remain with the

Rajah, but that he would grant as much of it as might be required, at a fixed annual rent to be ascertained by survey and assessment according to the local usage, and reserves to him the right to certain revenue imposts, and to any hidden property found on digging the land. And in the 4th Clause it proceeds as follow :—

" It being probable that, as European Officers take up their residence on the said hill, many servants, tradesmen, private persons, and others will reside there, I have relinquished to the Company's Government the Police and Magisterial functions of maintaining peace, and trying and punishing offences committed by such people, such as violence, petty crimes, thefts, murders, &c. The Collector is to have jurisdiction in such matters."

Now there is plainly no cession of the plateau contained in these stipulations. They import, we think, quite the reverse, and it is difficult to understand how the Tahanamah could be made the basis of the territorial incorporation declared by the notification and made one object of the proceedings of the Government and the Board of Revenue in the same year. The Tahanamah therefore in its operation is of no avail to give the Session Court of Bellary jurisdiction, and we need say no more to dispose of the present case. But for the guidance of the Judicial Officers and the Police authorities of the district, we think our opinion should be expressed as to what is conceded by the 4th Clause, and the effect. We consider that it surrenders exclusive criminal jurisdiction over a limited class of persons, namely, Europeans and their servants, and all other resident persons not Native subjects of the Rajah, and leaves the Government unfettered to provide in the way they deem right for the preservation of the peace and the trial and punishment of offences committed by such persons. Now in the state of the law existing at the date of the Tahanamah, and until the passing of Act I. of 1849, the Criminal Courts and Magistracy of the district might probably have exercised that jurisdiction to its fullest extent over all resident persons other than subjects of the Rajah ; but, under the present law, their jurisdiction to deal with offences committed within the territory of a Prince or State extends only to subjects and servants of the Queen, and persons resident for a certain time within Her Indian Territories.

Under the concession, then, we are of opinion that persons, not Native subjects of the Rajah, committing offences on the plateau, for which they are amenable to our Criminal law, are protected from the Rajah's power over offenders, and they alone can be apprehended, committed, and tried by the Magistrates or Justices of the Peace and the Courts within Her Majesty's Indian Territories, or by a Judicial Officer empowered to exercise jurisdiction on the plateau. Offences committed by the subjects of another Prince or State not made amenable to our Criminal law must be dealt with, if at all, by the Government, under the Tahanamah, as an international question.

(True Extracts.)

(Signed) T. MADAVA ROW,

Dewan.

No. 23. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trivandrum, 20th October 1868, No. 57.

I have the honor to forward the accompanying further communication from the Dewan of Travancore, which it is desired may be considered along with the enclosures of my letter, No. 56, of yesterday's date.

From the Dewan of Travancore, to the British Resident of Travancore, &c., &c., &c. ; dated Trivandrum, 20th October 1868.

In continuation of my letter to you of yesterday's date, on the general question of the right of the Travancore State to exercise Criminal jurisdiction over European British subjects residing in Travancore territory and committing offences therein, I have the honor to draw your attention to some further arguments.

2. Wheaton says, " The jurisdiction of the nation within its own territory is necessarily " exclusive and absolute. It is susceptible of no limitation not imposed by itself. Any restric- " tion upon it, deriving validity from an external source, would imply a diminution of its sove- " reignty to the extent of the restriction, and an investment of that sovereignty to the same extent

"in that power which could impose such restriction. All exceptions, therefore, to the full and "complete power of a nation within its own territories must be traced up to the consent of the "nation itself. They could flow from no other legitimate source." Now, *when*, I beg to ask, did Travancore consent to surrender the jurisdiction in question? Far from surrendering it, it has been exercising it hitherto, and the British Government has not only not taken objection to such exercise, but it has gone further, it has fully recognized such exercise.

3. Again, the Advocate General, representing the Madras Government in the case of Sundoor, which I have dwelt upon in my previous letter, is reported to have himself made the following important admission before a full bench of the High Court:—"If Sundoor* is British territory, "then Government (meaning of course the "Madras Government) have a right to exercise jurisdiction in it; if it is not British territory, "then the Rajah has such right." Now, Travancore is not British territory, it therefore follows that the Travancore Sirkar has such right.

* Madras Revenue Register, January 1868, Page 8.

4. Here, then, is an opinion of a former Advocate General of the Madras Government itself, given deliberately in behalf of the Government whom he represented, and this opinion may well be set against that given by the present Advocate General against the right of Travancore.

5. And I would particularly beg of you to note that the opinion I have quoted in paragraph 3 was expressed by Mr. J. D. Mayne, *subsequently* to the Governor General's notification, which the present Advocate General interprets as having shorn every Native State, including Travancore, of the important and necessary right to protect itself and its subjects against the offences of resident European British subjects committed in the territories of the Native State itself.

6. I beg further to quote, in support of my contention, the following rules in force in the Punjab and in the North-West Provinces, where the British territories are conterminous with many Native States, and where, therefore, questions of the kind now under discussion must frequently arise:—"Read† a petition from Dewan "Jaola Suhae, Prime Minister of Goolab Sing "Bahadoor, Ruler of Jummoo, dated 8th "April last,‡ relative to the demand and surrender on both sides (British and Jummoo "Governments) of persons accused of crimes as before, detailing the character of crimes, and "soliciting suitable orders. It is desirable that the same rules which are in force in accordance "with the orders of Government, in respect to the demand and surrender of offenders accused "of heinous crimes between the British Government and the Foreign States, would be made applicable to this State, (Jummoo,) so that the rule in this respect, with regard to all the Foreign "States, may be uniform. * * * * *

† The Code of Criminal Procedure, with Notes by H. T. Prinsep, second edition, page 391.

‡ 1856.

"Any person, being a British subject, having committed any crime of the class above enumerated in Jummoo territory, if apprehended in that territory, will be punishable by the Government of the country; and, in like manner, any subject of the Jummoo Government, if apprehended in British territory for a crime committed in that territory, will be punishable by British "Courts. But the Maharajah may (if he so choose) forward a subject of the British Government "so circumstanced to a British Court for trial and punishment."

7. In the term "British subject" is, of course, included a British European subject.

8. Be it marked that the rules from which the foregoing is extracted are expressly stated to be applicable "to all the Foreign States."

9. In conclusion, I request that you will be good enough to lay this letter, as well as my previous letters on this question before the Madras Government, for their consideration.

No. 24. Minute by His Excellency the PRESIDENT, dated 16th November 1868.

It is acknowledged that the Sovereign of Travancore previous to the Proclamation of the Governor General in the *Gazette* of January 10th, 1867, possessed rights of jurisdiction over European British subjects resident in, or travelling in the State of Travancore, not being servants of the British Government.

The ample recognition of these rights, embodied in the letter from the Secretary to the Government of India to the Secretary to the Government of Madras under date of June 12th, 1837, and in the letter from the British Resident to the Dewan of Travancore under date of August 14th, 1837, have never been qualified, or impaired, by any subsequent communication, as far as I am aware. The Advocate General in his opinion, under date of September 28th last, has indeed stated (paragraph 4) that "the criminal jurisdiction over European British subjects, hitherto exercised by the "Travancore Courts, does not appear to rest upon any treaty, but to have been ceded by courtesy "and comity."

The Advocate General has not adduced any argument, or evidence, to support this assertion. No treaty was necessary to confer on the Sovereign of Travancore a right which is inherent in free and absolute sovereignty, and which is perfectly consistent with that modified description of independence which even the warmest advocates of the "Paramount Power" must recognise in the State in question. No act or declaration of the British Government is cited to prove that the British Government did, at any time, exercise or claim criminal jurisdiction in the State of Travancore, much less exclusive criminal jurisdiction over European British subjects as of right, or ever did cede such jurisdiction from motives "of courtesy or comity." In the absence of argument and evidence to that effect, I am constrained to abide by the terms employed in the communication from the Secretary to the Government of India to the Secretary to the Government of Madras, which I understand to affirm a general original right of jurisdiction in the Travancore Sovereign in common with other Native Sovereigns. "Europeans residing in the territory of Native "States, not being servants of the British Government, must be held to be in all respects, and in all "cases, civil or criminal, subject to the laws of the country in which they reside." It is true that, in practice, the jurisdiction of the Courts of Travancore over European British subjects has been in criminal cases, and even in civil cases, exercised in a greater or less degree, under the concurrence and control of the British Resident, by mutual accommodation and agreement, and by the courtesy and comity of the Sovereigns of Travancore. It cannot, however, in my opinion, be contended that this practical suspension, or delegation of a portion of the right of sovereign jurisdiction by the Sovereigns of Travancore to the British Government for mutual convenience, impaired the right in principle, far less did it accord to the British Government the power of taking away, arbitrarily, that portion of the right which was never delegated or suspended at all.

2. Assuming then that, prior to the date of the Proclamation of the Governor General of January 10th, 1867, the Sovereign of Travancore did possess the rights of jurisdiction over British European subjects inherent in sovereignty, and did exercise them as far as was consistent with the mutual convenience of the British Government and his own, I proceed to inquire whether the aforesaid Proclamation was intended to abrogate those rights of jurisdiction, or did abrogate them.

3. The meaning of the Proclamation must be sought in the meaning and intention of the Act from which the Proclamation derives its power. The Act empowers the Governor General of India in Council to authorize any High Court to exercise its jurisdiction "in respect of Christian "subjects of Her Majesty resident within the dominions of such of the Princes and States of "India in alliance with Her Majesty as the said Governor General in Council from time to time "may determine."

As I am not acquainted with the circumstances, or motives, which determined the passing of the Act in question, or with any debates or correspondence which occurred in connexion with it, I am compelled to interpret it by a simple consideration of its terms in connexion with the principles of justice and the policy of Her Majesty's Government towards the Native Governments of India.

Do then the terms recited above mean that the Governor General may, by the simple exercise of his direction, divest a Native Sovereign of original and inherent powers of jurisdiction over Christian subjects of Great Britain resident in his territories, and extend the exclusive jurisdiction of any High Court over such subjects, irrespective of any treaty between the British Government and the Native Prince, or irrespective of any voluntary or stipulated concession or arrangement on his part? Or do these terms mean that the Governor General may confer on the High Court concurrent jurisdiction over Christian subjects in a Native State, in cases of contravention of the laws of that

State, to be exercised failing the exercise of the jurisdiction of the Native Sovereign, or in connexion with it, or instead of it, supposing the right of jurisdiction to be ceded by the Native State generally, or waived by it in particular cases? Or do these terms mean, as contended by Sir Madava Row, that the Governor General may confer on the High Court jurisdiction over Christian British subjects in cases of offences against the British Laws, committed on the Territory of a Native State, the criminal being surrendered by the Native State, or arrested on British Territory?

4. I cannot bring myself to believe that the framers of the Act contemplated the abrogation of the jurisdiction of a Native Sovereign, irrespective of his assent expressed in one form or another. There is not one single word in the Act sanctioning such an interpretation, not one word referring to the limitation or annulment of Native jurisdiction; nor can I readily credit that it was the intention of Parliament to sanction the extinction of the prerogative of a Native Sovereign by simple implication and substitution. Not only would such an intention, on the part of the British Legislature, be defective in principle, but it would be most obnoxious in practice, to the reproach of harshness and discourtesy. It may be safely asserted that the British Legislature would only contemplate the exercise of a power so arbitrary and extensive if it was absolutely necessary for the protection of the lives and liberties of British subjects. But there is no such necessity alleged or existing. In some Native States, British subjects enjoy all the benefits of humane and enlightened justice as in Travancore. In others this might not be the case. But in all the jurisdiction by the Native Sovereign would be instantly surrendered, if desired by the British Government. The representations of the Viceroy, urged through the channel of the British Resident, and backed by the prestige of British Power, would be immediately operative, and the British Government would by treaty or capitulation, or by some legitimate instrument or other, readily obtain all the rights it could desire. To confiscate the jurisdiction of a Native Sovereign would, therefore, not only be unjust, but superfluous and wanton. It would be a gratuitous infraction of the rights of the weak and the submissive. I may add that it would be inconsistent with the terms of that memorable Proclamation in which Her Majesty the Queen was graciously pleased to say, "We shall respect the rights, dignity, and honor of Native Princes as "our own."

Under these impressions I certainly entertain the opinion that the framers of the Act referred to, did not contemplate that the authority conferred on the Governor General was to be exerted for the arbitrary abrogation and assumption of the jurisdiction of Native Princes, and the transfer of exclusive jurisdiction to the High Courts, but for a concurrent and auxiliary jurisdiction, or for the lawful substitution of the High Court jurisdiction for that of the Native Prince, when the Native jurisdiction was legitimately ceded. I do not think, with the Dewan of Travancore, that the assertion of the jurisdiction of the High Court had solely or mainly reference to crimes committed against British Law on the Territory of Native Princes, though those might, no doubt, be included. I hold that the purpose of the framers of the Act was a wider one, that they contemplated the transfer of jurisdiction from the Native Court to the High Court in reference to all offences whether against the Law of the Native State, or of the British Government, or both, but always with due respect to the "rights, dignity, and honor" of the Native Prince, a respect which it is so easy and so good to observe.

5. Passing from the terms of the Act to the terms of the Proclamation, I find it stated thus—

"The Governor General in Council is also similarly pleased to declare, in virtue of autho-
"rity conferred upon him by the Act XXVIII, Vic. Cap. 15, that original criminal jurisdiction
"over European British subjects, being Christians, resident in the Native States and Chiefships
"below named, shall, from this time forth and until further orders by the Governor General in
"Council, be exercised by, and distributed among, the several High Courts of Judicature in India,
"respectively, as follows:—

"By the High Court at Madras in Travancore, &c., &c., &c."

Original criminal jurisdiction over European British subjects of Her Majesty being Christians resident in Travancore is, therefore, to be exercised by the High Court at Madras. But for

what class of offences, and under what circumstances, it is not specified. There is not a word pointing to the limitation, or abrogation, of existing rights of Native jurisdiction. Following the same course of argument which I have used in respect to the Act of Parliament, I am bound to hold that the true intent of the Proclamation must be that a concurrent jurisdiction is conferred on the High Court to be exercised as an alternative with reference to offenders against the laws of Travancore voluntarily surrendered, or freely delivered up to British authority on the request of the Resident, or a complete or exclusive jurisdiction with reference to offences committed against British laws in the Territory of Travancore, or a jurisdiction with reference to all offences, should at any future time the jurisdiction of the Sovereign of Travancore be ceded in a legitimate form. The terms of the Proclamation have, in fact, virtually and mainly reference to a state of things which does not at present exist, but which may be brought about by negotiation and mutual arrangement, either with reference to particular cases, or to European British subjects, being Christians, in general. In fact, I do not see how the provisions of the Proclamation can be carried into effect without preliminary negotiation with the Government of Travancore, for the High Court possesses no agency in the Territory of Travancore by which the first steps of its jurisdiction can be exercised, and I do not conceive it possible that the Supreme Government would desire the Government of Madras to *enforce* the surrender of a criminal under the lawful jurisdiction of the Sovereign of Travancore without previous concert, without the least alleged necessity, and against the wishes of the best and most enlightened of Indian Princes. Moreover, I can scarcely suppose that the Supreme Government, even if it had the power and the desire to annul and destroy the jurisdiction of the Sovereign of Travancore, would propose to do so without consulting the Government of Madras, which is so deeply interested in the concerns of that State, and which has had no reason to complain of the manner in which the jurisdiction of its Courts has been exercised over European British subjects.

6. It may be contended by those who hold that the Act of Parliament and the Proclamation do contemplate the summary abrogation of Native jurisdiction—

(1).—That the right assumed by the British Legislature, and delegated to the Governor General, is a natural exercise of authority on the part of the Paramount Power; and

(2).—That the deprivation of jurisdiction inflicted on the Native Sovereign is unimportant.

7. The Dewan of Travancore, in addressing the Government of Madras on this subject, has taken high ground. He appeals to the maxims of international law, which regulate the relations of independent and co-equal European States.

I do not concur in this line of argument, though I do not blame the able Minister for advocating the rights of his Sovereign with dignity and spirit. There *is* a Paramount Power in the British Crown, of which the extent is wisely left undefined. There *is* a subordination in the Native States which is understood but not explained. I may affirm, however, with safety, that the Paramount Power intervenes only on grounds of general policy, where the interests of the Indian people, or the safety of the British Power are at stake. Irrespective of those features of Sovereign right which Native States have, for the most part, ceded or circumscribed by Treaty, there are certainly some of which they have been silently but effectually deprived. No Native State can ally itself with another, or wage war upon another, or make Treaties with European States. The Paramount Power would not suffer such manifestations of Sovereign right. The Paramount Power would not allow a civil war in a Native State. It would decide a disputed succession, and supply the absence of succession. But it is not the policy of the British Government to exert the *ultima ratio* of Paramount Power in abridging the prerogative of Native Princes where that prerogative is exercised without the least prejudice to general interests, or where a desired result can be easily obtained by the ordinary processes of negotiation. Now it cannot be asserted that any general interest is at issue in the present case, and the Government of Travancore is perfectly accessible to reason. It would be altogether out of place to put the machine of Paramount Power in motion, to crush a jurisdiction which is used with humanity and discretion, and to intimidate a Prince who is our friend and pupil.

8. But it may be alleged that the right of jurisdiction over European British subjects is a right which has no value in the eyes of a Native Sovereign, which he is ready and glad to part with on any terms. This is no doubt true in some cases. There are Native States with such a defective organization, or so insignificant, that they could not try an European offender, and would be happy to escape the responsibility of doing so. But this is not at all the case with Travancore. The Government of Travancore is administered under a very intelligent and gentle Prince by a small circle of able functionaries, who have either been bred in the schools and public offices of Madras, or who have thoroughly imbibed at Home the knowledge and principles inculcated here. They are proud of their State, and zealous for their State. The Courts of Justice have been put on a most respectable footing. The Indian Penal Code is substantially administered with some local adaptations. The High Court of the State, composed of four Judges, is presided over by a learned Judge who is a subject of the Queen. One of his colleagues is an East Indian gentleman of approved capacity and integrity. I do not hesitate to say that the consciousness of administering the jurisdiction of their Sovereign over European subjects of Great Britain has impressed these Magistrates with a sense of duty and responsibility, and that this sentiment may have reacted most favorably on the administration of justice for all. To curtail the jurisdiction of the Travancore Courts would imply that they do not do their duty, which would be most unjust. It would be tantamount to a condemnation of justice. It would be a discouragement to the functionaries of Travancore. It would be a humiliation to the Prince. Far from thinking such a measure salutary, or useful, either to Travancore or to the British subjects resident in its Territory, I am so convinced of the contrary, that, if the jurisdiction in question had never existed, I would grant it to the Maharajah at this moment. I think it right to add that the transfer of this branch of jurisdiction to the High Court at Madras would gratuitously impose upon the High Court an accession of business which it can ill-afford to undertake, and on the Travancore Authorities an amount of trouble and expense as prosecutors, which would be vexatious and onerous. If an English vagrant stole a dog, or a pot of rice at Cape Comorin, he would be sent five hundred miles to be tried by Sir Adam Bittleston, perhaps passing the doors of the Supreme Court of Travancore, and the British Resident on the way!

9. Having thus given expression to my opinions, I cannot disguise from myself that those opinions may be mistaken. The opinion of the Advocate General is directly opposed to mine. It may be that, in conformity with precedents unknown to me, or in consequence of correspondence which has not been imparted to this Government, Parliament, by the Act above referred to, did really contemplate the summary abrogation of the jurisdiction of Native Princes, and that the Governor General has seen fit to carry this measure into operation. In that case I submit that the Proclamation of the Governor General has no effect with reference to the Government of Travancore, because it has never been communicated to that Government in the usual form. The insertion of a Proclamation of the Governor General in the *Gazette of India* is, no doubt, an official intimation to the Government of Madras; but it seems improbable to me that it can constitute a sufficient intimation to a Native Prince at whose Court this Government entertain a duly accredited Resident. The Proclamation ought surely to have been, in common courtesy, communicated to the Maharajah of Travancore, with an explanation of the motives which led to the adoption of proceedings involving the subversion of an order of things which has subsisted for so many years with perfect satisfaction to the Government of Madras, to the Government of Travancore, and Her Majesty's subjects.

10. In conclusion, I have to suggest that a communication be addressed to the Government of India inclosing the correspondence which has passed on this subject, and embodying the following points:—

(1).—Requesting to be informed in what respects the Proclamation of the Governor General of the 10th January 1867 must be held to limit the jurisdiction of the Maharajah of Travancore over European British subjects, being Christians, resident in his territory.

(2).—Submitting that, in case the intent of the Proclamation is to abrogate the jurisdiction heretofore exercised by Native Princes with reference to such subjects of Her Majesty, the Pro-

clamation may be held to be of non-effect in respect to Travancore, because it has not been officially imparted to the Government of that country.

(3).—Recommending that in case the Proclamation is intended to abrogate the rights of jurisdiction belonging to Native Princes, and in case it must, of necessity, apply to the Sovereigns of Travancore and Cochin, notwithstanding the want of formal communication, the Proclamation may be qualified and rescinded in so far as regards the State of Travancore and the State of Cochin, and that the rights of jurisdiction heretofore exercised by the Sovereigns of Travancore and Cochin in regard to British subjects, be left unaltered.

(Signed) NAPIER.

No. 25. MINUTE by the Honorable H. D. PHILLIPS, dated 13th November 1868.

On first perusing these papers, it occurred to me that the peculiar position of the Travancore State had been overlooked by the Government of India when their Notification was promulgated on the 10th January last, and I was disposed to doubt whether they had not overstepped their powers. But when I came to consider that the Notification rests on an Act of the Parliament of Great Britain; that advised as the framers of the Act must have been by the best authority, it was scarcely possible they would have allowed it to be passed and promulgated without a sufficient legal basis; that the Government of India itself have seen no reason to doubt the sufficiency of that basis; and that our learned Advocate General has taken no exception to the Notification on that score, I felt that it would be presumption on my part to continue in doubt, or to believe that there is nothing in the political position of Travancore which permits a departure, by the representatives of the Supreme and Paramount Power in India, from the rules that guide its intercourse with States which are unmistakeably the subject of all the requirements of international law.

2. With this impression on my mind, I am compelled to state that it is not clear to me that any sufficient necessity has arisen for the reference to the Government of India which His Lordship the President now proposes to make. We are, I think, bound to accept, in its entirety, the Notification of the Supreme Government, and I would not pause to ascertain the circumstances that led to the passing of the Act of Parliament on which the Notification rests. The omission, formally and officially, to communicate the Notification to the Travancore Durbar, was a ministerial oversight which may at once be rectified by doing now what might, with greater propriety perhaps, have been done in January last. The communication might be accompanied by an expression of regret for the delay that has happened. Nevertheless, it would be absurd, I submit, to assume that, when the Notification was republished in the Madras Government Gazette, it escaped observation by the Travancore Raj officials.

3. It is far from my wish to cause any mortification to the Travancore Durbar, or to pass any slight on it; but it occurs to me that, in submitting their representation now under notice, it would have been well had they sent up a note of the instances in which they have exercised that jurisdiction over European British subjects, of which they seem to deprecate the formal withdrawal. I cannot recall to mind a single instance except the present one of Mr. Liddell, and the circulated Government records do not refer to any.

4. The rule of jurisdiction laid down by the Notification, is, in fact, nothing more nor less than an expansion of the principle observed, without objection or remonstrance, by Travancore, since the period when Act I. of 1849 became law. Under that enactment, the British Government, when they saw fit, have exercised the power of punishing, by means of British Courts in Madras limits, such of the Native subjects of the British Government as have committed offences within the limits of the Travancore Territory. It does not appear that, in those cases, any clamor was raised about a fancied diminution of the prerogative of the Raj; no demands seem to have been made for the surrender of the criminals in order to their punishment in the Courts of the Rajah.

5. If, then, that course has been taken in respect of the Native subjects of this Government, it seems *a fortiori* to be proper, that the British Government should, in every instance, reserve for itself the privilege of dealing with offences committed by European British subjects, and that they should not regard the locality of such commission as affecting the right to be tried by a Bri-

tish tribunal. It would, I think, ill-consist with the dignity and the real and supposed attributes of the Paramount Power in India, to allow subjects of that class to be arraigned before the Criminal Courts of Travancore. Indeed, to assent to their trial before those Courts, would be to call into existence, in a neighbouring Native State, the "Black Act," though, in our own limits, we have as yet been saved from its infliction.

6. I do not mean to question the high character, the legal ability, or the great respectability of the Members of the present Travancore Sudder Court. One of the Judges is, I believe, a late Principal Sudder Ameen of Madura, who, judging from the rate of promotion in our own Uncovenanted Judicial branch of the public service, would still be holding a position of that rank, had he not migrated to Travancore. We know, however, that changes of Judges must occur there as well as here, and it may fairly be doubted whether they have in Travancore, for filling vacancies, as much of the good raw material as we have on this side the border.

7. It seems to me, further, that, at heart, the Rajah should not feel otherwise than gratified at the relief secured to him by the Government Notification, from the embarrassments which must occasionally arise, if European British subjects are to be tried by his Courts. Such jurisdiction was, I believe, never exercised by them until the late case of Mr. Liddell, and it would, therefore, be scarcely reasonable to suppose that the Rajah really fears the action of the Notification will affect the "rights, dignity, and honor," which Her Majesty's Proclamation of November 1858 was engaged to preserve.

8. No doubt the tenor of the letter from Mr. McNaghten, Secretary to the Government of India in 1837, is opposed to the course which has to be taken under the Governor General's recent Notification. In laying stress on the communication from Mr. McNaghten, the Dewan would appear to have allowed too little importance to the great change effected by Her Majesty's assumption of the Government of this country, and to have forgotten the weight which attaches to an Act formally promulgated by the British Parliament.

9. As respects the Dewan's quotations from Vattel and Wheaton, it may be noted, that, if Travancore be entitled to claim, as applicable to its position, all those privileges of international law which regulate the intercourse of States on an equal footing, or really independent states, we ought to see a Travancore Ambassador at Calcutta or Madras; and we ought not to find in the Treaty ratified by the Governor General on the 2nd May 1805, an engagement by Travancore, "at all times" to pay the utmost attention to such advice, as among others, the English Government shall offer for the administration of justice in Travancore, or any other object connected with the mutual welfare of both States. International law, in its entirety, cannot, I apprehend, apply to a Native State in the position thus relatively created, which is rather that of a feudatory, than that of a State at liberty to assert its rights of criminally punishing the Home born subjects of the Queen of Great Britain. The doubt which arises under these circumstances is strengthened by the fact that a subsidy of eight lakhs of Rupees is yearly paid by Travancore to the Madras Government for the protection afforded by a body of British Troops, and it is clear, I think, that, through its subjects, the welfare of the British Government is involved in the question whether or not the Travancore Courts shall, or shall not, have the jurisdiction claimed for them.

10. For these reasons, I am of opinion that the Resident should be instructed to desire the Dewan to proceed with the criminal prosecution which he is said to be prepared to institute against Mr. Liddell, and to do what is necessary for carrying it to its termination in the High Court of Madras. But, as in his opinion, dated the 23rd ultimo, the Advocate General has intimated that the Resident, Mr. Newill, "has no authority, in his opinion, to discharge any of the functions of a Justice of the Peace in the kingdom of Travancore," it seems necessary that the prisoner Mr. Liddell, and such persons as can substantiate the offence with which he is charged, should be forwarded for trial to the Magistrate of Malabar. The words "wherever apprehended" in Section 2, Act I. of 1849, seem to me to show that, in the absence of authority as Justice of the Peace in the Resident, this is the proper course to pursue.

I would remark, with respect to the Dewan's comments on the judgment of the Madras High Court in the Soondoor case, that nothing is therein said as to the non-exercise, by the British Govern-

ment, of its criminal jurisdiction over European British subjects who may have committed offences beyond the limits of that part of the Ramandroog plateau, which the Rajah has assigned to this Government, for the purposes of a sanatarium.

(Signed) H. D. PHILLIPS.

No. 26. MINUTE by the Honorable A. J. ARBUTHNOT, dated 21st November 1868.

I entirely concur with His Excellency the Governor in thinking it most improbable that it was the intention of the British Parliament, when passing Act XXVIII., Vic. Cap. 15, or of the Governor General in Council, when issuing the Notification of the 10th January 1867, to deprive the Native States mentioned in that Notification of any rights of jurisdiction over European British subjects that had previously belonged to them.

2. That such rights have hitherto been considered to belong to the Travancore State, and to the Native States of India generally, except in those cases in which they have been expressly ceded, is, I submit, beyond question. In support of this position it is enough to refer to the letter from the Secretary to the Government of India to the Secretary to the Government of Madras, to which allusion is made in the Dewan's letter and in Lord Napier's Minute, to the express recognition of the rights in the case of Travancore, when the question was raised during the government of Sir C. Trevelyan, and to the fact that, so recently as 1861, the Government of India deemed it necessary to obtain a Sunnud* from the Nizam, by which the latter waived all claim to have Europeans tried by his own Courts for offences committed in the Hyderabad Territory, which concession, however, does not include any persons actually in the service of the Hyderabad Circar.

* See Aitchison's Treaties, Volume V., page 117.

3. It appears to me that the true intent and meaning of the Act of Parliament, and of the Notification of the Supreme Government become apparent, if we duly consider what the state of the law relating to the trial of British subjects charged with offences committed in Native States was when the Act and Notification were framed. It is contained in an Act of the Government of India, No. I. of 1849, to which reference is made in Mr. Phillips' Minute. That enactment, which, I submit, is equally applicable to European, as to Native subjects of Her Majesty, and which is still in force, provides, if not in express terms, certainly by implication, for two alternative modes of dealing with British subjects, when charged with offences committed in Native States, and apprehended within the limits of such States. Such persons may either be tried by the Courts of the Native State, unless the jurisdiction has been expressly waived, or if the authorities of the Native State think fit to deliver them into the custody of a Magistrate in British Territory, they may be tried by one of the Courts of Criminal Judicature established by the British Government. In the first case, the Native State exercises its inherent power of punishing any breach of its laws by persons residing in its Territories. In the second case, the British Court becomes vested with a concurrent jurisdiction with the Courts of the Native State, which, however, can only be exercised if the accused has been delivered by the authorities of the Native State into the custody of a Magistrate in British Territory.

4. Thus, in the case now before us, Mr. Liddell having been apprehended in Travancore charged with an offence committed in that Territory, it was, in my opinion, perfectly competent to the Travancore Government to order that he should be tried by one of its own Courts. It would also have been open to that Government, if it had thought fit to do so, to deliver Mr Liddell after his apprehension into the custody of the Magistrate of Malabar, in which case the latter Officer would have referred to the Madras Government for orders, and would, doubtless, have been directed to deal with the case in his capacity of Justice of the Peace, and, in the event of his deeming the evidence sufficient, to commit Mr. Liddell for trial before the High Court of Judicature at Madras.

5. If, on the other hand, Mr. Liddell, previous to his apprehension, had removed himself into British Territory, and had there been apprehended, the Travancore State, not being a State which, in the language of Section 5, Act I. of 1849, " is administered by Officers acting under the authority of (the East India Company" now) the Queen, its jurisdiction would have been practi-

cally barred, and Mr. Liddell being a European British subject could only have been tried by the Madras High Court.

6. It thus appears that, when a European British subject has been apprehended in a Native State, charged with an offence committed in the Territories of that State, the High Court has a concurrent jurisdiction, which, however, it can only exercise in the event of the Native State enabling it to do so, by delivering the accused into the custody of a British Magistrate. If, on the other hand, the offender has been apprehended in British Territory, the jurisdiction of the High Court is virtually an exclusive jurisdiction. It was, I am persuaded, with reference to the fact of the High Courts being thus practically vested with a concurrent, or perhaps, I should say, a contingent jurisdiction over European British subjects apprehended in Native States for offences committed therein, and with an exclusive jurisdiction over European British subjects apprehended in British Territory for offences committed in Native States, not administered by Officers acting under the authority of the Queen, that the British Parliament passed the Act empowering the Government of India to declare before which of the High Courts such offenders should be tried.

NOTE.—I do not overlook the fact that an order of Government, or of a Commissioner empowered by Government, is necessary to enable the Magistrate to take up the case, but this in the case of a European British subject would never be withheld.

7. According to my view of the question those portions of the Act of Parliament and of the Notification of the Government of India which relate to Native States, would not have been deemed necessary if the position of all the Native States of India as regards their proximity to, and facilities for communication with the several High Courts had been similar to that of Travancore. For the trial of cases arising in that State, the Madras High Court is obviously the most conveniently situated of all the Indian High Courts. But the case is different with many of the Native States in other parts of India. It might very well be a question whether a European British subject committing an offence at Hyderabad, and who, according to the Sunnud of 1861, would have to be tried by a British Tribunal, could most conveniently be sent for trial to the Madras, or to the Bombay High Court; and in regard to some of the States of Central India, the same question might arise as to the comparative accessibility of Bombay or Agra. It was, I submit, in order to settle in the most convenient and satisfactory manner this question of jurisdiction, not as between the British High Courts and the Courts of the Native States, but as between the several High Courts established in British India; certainly not with the view of depriving the Native States of any rights in the matter of jurisdiction which they had previously been considered to possess, that the Notification of the 10th January 1867 was considered to be requisite; and as that instrument was to alter the territorial jurisdiction of Courts established in conformity with an Act of the Imperial Parliament, it was necessary that it should have the previous sanction of an Act passed by the same Legislative body.

8. Entertaining this view of the question, I am unable to agree in the opinion given by the Advocate General as to the illegality of the sentence passed by the Travancore Court upon Mr. Liddell, or in the course proposed by my colleague Mr. Phillips at the conclusion of his Minute. Nor do I see any necessity for a reference to the Government of India as to the meaning and intention of the Act of Parliament and Notification on which the objections taken to the proceedings of the Travancore Courts in this matter are based.

9. At all events, before any such reference is made, I think it would be desirable that the view of the law, which I have ventured to put forward, should be submitted to the Advocate General, and that he should be requested to state whether, on full consideration thereof, he still adheres to the opinion given by him under date the 28th September last. If he does, the papers might then be laid before the Supreme Government.

10. If, however, the Advocate General should, on further consideration, withdraw the objections advanced by him against the legality of the sentence passed upon Mr. Liddell, I think it would be advisable, when communicating the fact to the Travancore Government, to draw their attention to the practical and admitted inconvenience which has resulted, in the present case, from the course taken by His Highness' Government in exercising its right of bringing a European

British subject to trial before its own Court, in preference to delivering him into the custody of the Magistrate of Malabar, with a view to the trial being held before the Madras High Court. It will be in the recollection of the Members of the Government that shortly after Mr. Liddell was convicted and sentenced, an application was made by the Travancore Government for permission to have the sentence carried out in the European Prison at Ootacamund, there being no Jail in Travancore which was considered suitable for the confinement of European prisoners. This application, although it was regarded as perfectly reasonable and proper, could not be complied with, because the sentence passed upon Mr. Liddell by the Travancore Court could not legally be carried out anywhere beyond the limits of the Travancore State ; but the reason which led to the application being made, furnishes, I think, a strong argument in favor of the Travancore Government availing itself in future of the alternative course sanctioned by Act I. of 1849, in all cases of European British subjects charged with offences of a serious character committed in that State.

11. I am persuaded that, if this view of the question were placed in a proper manner before the enlightened Rajah of Travancore and his able Dewan, they would readily accept and act on it in that spirit of loyal co-operation with the British Government, which has invariably characterized the administration of His Highness and of his Minister, Sir Madava Row.

(Signed) A. J. ARBUTHNOT.

No. 27. MINUTE by His Excellency the PRESIDENT, dated 23rd November 1868.

Having in view the very decided difference of opinion between the Members of Government on this question, I think that the proposal made by Mr. Arbuthnot, to submit the papers again to the Advocate General, may very properly be entertained. I would communicate the Minutes; but whatever may be the opinion of the Advocate General, I hold that the question ought to be submitted to the decision of the Supreme Government, which can alone furnish a definition and authoritative interpretation of the Act and the Proclamation.

(Signed) NAPIER.

No. 28. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trivandrum, 19th November 1868, No. 70.

At the request of the Dewan of Travancore, I have the honor to forward you a copy of Counsel's Opinion taken by the Sirkar, on the question of Criminal Jurisdiction over European British subjects now under the consideration of Government.

Copy of Mr. Mayne's Opinion.

I have carefully perused the papers submitted to me, and am of opinion that the Travancore Courts have jurisdiction over Mr. Liddell in respect of the offence charged against him. As my opinion is opposed to that of the Advocate General of Madras, I shall state the grounds for it in detail.

2. I assume that Travancore is an independent Sovereign State. Orme (cited 2 Mills' India, 194) speaks of the king of Travancore as " an Hindu Prince, whose dominions had never been subject to a Foreign Government "

3. Travancore has never been conquered by the East India Company, and has never surrendered its sovereignty to the Company or the Queen. The Treaty of 2nd May 1805 (5 Aitchison, 310) no doubt provides that in a certain event the East India Company might assume the internal administration of the country ; but that event has never occurred. It has also been ruled by the High Court of Madras, upon precisely similar provisions in the Mysore treaties, that the assumption of administration by the East India Company would not deprive the Rajah of his capacity as a Sovereign Prince, (Reg. V., Walkins 2, Madras H. C., 444).

4. If, then, Travancore is an independent Sovereign State, its jurisdiction over Mr. Liddell is *primâ facie* undoubted—See, in addition to the authorities quoted by Sir. T. Madava Row, that of Chancellor Keith (1 Kent Com., p. 40): " But strangers are equally bound with Natives to " obedience to the laws of the country during the time they sojourn in it, and they are equally

"amenable for infractions of the law;" and that of Sir Robert Phillimore (1 Phill. Int. L., 355.) "With respect to the administration of Criminal law, it must be remembered that every individual "on entering a foreign territory binds himself by a tacit contract to obey the laws enacted in it for "the maintenance of the good order and tranquillity of the realm, and it is manifestly not only "the right but the duty of a State to protect the order and safety of the society entrusted to its "charge equally against the offences of the foreigner as of the native."

5. There are, no doubt, cases where the right of jurisdiction over foreigners has been expressly abandoned, and a new consular jurisdiction erected, to be exercised by the countrymen of such foreigners. This is particularly the case with many Ottoman powers and in China, (Section 1 Phill. Int. L., 361—364, 2 Phill. Int. L., 245. 1 Kent Com. 51); but this is a matter of express treaty and can arise in no other manner.

6. None of the treaties with the Rajah of Travancore contemplate any abandonment of his territorial jurisdiction. On the contrary, Art. 9 of the Treaty of 1795 (5 Aitchison 306) is in these terms :—"The Company engage not to impede in any wise the course of the rule or administration "of the Rajah of Travancore's Government; nor at all to possess themselves, or enter upon any "part of what regards the management of the present Rajah's or his successor's country." The Treaty of 1805 did not supersede, but merely supplemented this Treaty, (see Preamble and Art. 9, 5 Aitchison 311, 314). As observed before, it provided that, in an event which has never occurred, the British Government might assume the administration of Travancore. Till that event occurs the Rajah's rights of internal government remain unimpaired. Art. 9 of the Treaty of 1805 binds the Rajah "to pay at all times the utmost attention to such advice as the English "Government shall occasionally judge it necessary to offer to him, with a view to (*inter alia*) the "administration of justice." But this clearly does not entitle the English Government to supersede the Rajah's Courts, or to deprive them of any part of the jurisdiction which by the law of nations they possess.

7. It is evident from the correspondence which took place in 1837, that the Travancore Government has, with the full cognizance of the Indian Government, exercised Criminal jurisdiction over British subjects for offences committed by them within the territory of Travancore. This is spoken of as "a rule established by the British Government," but it is clearly not the granting of a new right, but the recognition of a fundamental principle of international law. The same principle is affirmed in regard to the Native States in the North-West Provinces in the Proceedings of Government, quoted in paragraph 6 of Sir Madava Row's letter of the 20th October 1868.

8. The last point for consideration is, whether a jurisdiction, previously existing in the Travancore Courts, has been taken away by the Proclamation of the Governor General, dated 10th January 1867, issued under 28 Vict., Chap. 15, Section 3.

9. The Proclamation cannot, of course, go beyond the powers given by the Statute, and the Statute, though binding on all British subjects, has, of course, no force against the Sovereign of Travancore, or his servants, who are not subject to the authority of the British Parliament. Even if the Statute purported in express terms to take away a jurisdiction previously exercised by the Courts of Travancore, it would be simply inoperative against them. Parliament is as incapable of taking away the powers of a Court in Travancore as it is of dealing with the Courts of France. But I agree with Sir Madava Row, that neither the Statute nor the Proclamation contemplated any interference of the sort.

10. The late Supreme Court of Madras under its Charter, (Section 34.) and the High Court under its Letters Patent (Section 22 of those of 1865, and Stat. 24 and 25 Vict., Chap. 104, Section 10) had power to try British subjects for offences committed within any of the dominions of the Native Princes of India, in alliance with the Government of India. That is, whereas the Courts of Travancore had exclusive jurisdiction over subjects of Travancore for offences committed within Travancore, for similar offences committed by a British subject, they had concurrent jurisdiction with the Supreme and High Court. Whichever got hold of the offender first might try him. Now this power of the High Court applied to all Native dominions in alliance with

British India; therefore the High Court of Madras could have tried a British subject for an offence committed in Nepaul, and similarly the High Court of Bombay could have taken cognizance of an offence by a British subject in Travancore. Under this state of the law 28 Vict, Chap. 15 was passed. It is entitled, "An Act to extend the term for granting fresh Letters "Patent for the High Courts in India, and to make further provision respecting the territorial "jurisdiction of the said Courts." Section 2 of this Act repeals Section 10 of Act 24 and 25 Vict., Chap. 104, which preserved to the High Court the power possessed by the late Supreme Court over inhabitants of India beyond their local limits. Section 3 authorizes the Governor General to empower any High Court to exercise jurisdiction over Her Majesty's Christian subjects resident within the dominions of allied Princes. Accordingly by the Proclamation, jurisdiction over such subjects resident in Travancore has been conferred upon the Madras High Court, and taken away from the other High Courts. But nothing in this Statute was intended to trench upon the Sovereign rights of Native Princes.

11. I may remark, as confirming this view, that in the Sundoor case (3 Madras H. C. 354) the application of this Statute to any State was treated by the High Court as evidencing the sovereignty of that State, and its *primâ facie* right of jurisdiction over all persons within its limits (p. 360), also that, in that case which arose after the Proclamation, the Court considered "that persons, not Native subjects of the Rajah, committing offences on the plateau, for which "they were amenable to our Criminal law, were protected from the Rajah's power over offen-"ders," not by anything contained in the Statute or Proclamation, but by the express terms of the concession made by him. No corresponding concession has ever been made by the State of Travancore.

12. I have not been influenced in this opinion by the statement that Mr. Liddell, on entering the State of Travancore, consented to be bound by its laws, or that he expressly submitted to the jurisdiction of the Court which tried him. In the view which I take of the case his assent was unavoidable, and therefore unnecessary.

13. If I am right in this opinion it follows that, if Mr. Liddell were released and brought to trial again in Madras, a plea of *Anterfois Convict* would be fatal to the prosecution.

HIGH COURT, MADRAS, (Signed) J. D. MAYNE.
11th November 1868.

(True Copy.)
(Signed) T. MADAVA ROW,
Dewan.

(True Copy).
(Signed) H. NEWILL,
Resident.

No. 29. Opinion of the Advocate General, dated 7th December 1868.

In re LIDDELL

On further consideration, and with the advantage of weighing all that has been urged by the President and Members of the Government, the Dewan, and my learned friend Mr. Mayne, I have come to the conclusion that the trial of Mr. Liddell by the Travancore Court was legal; and therefore that he ought to be left to undergo the remainder of his sentence.

2. I certainly took the Proclamation, the wording of which is not very clear, to point to the constitution of an exclusive Criminal Jurisdiction by the High Court over Christian European British subjects for offences committed by them in Travancore.

3. I think I was not sufficiently impressed with what has been most forcibly urged; that so great a change, if it had been really contemplated, would not in all probability have been effected or sought to be effected by a simple Proclamation; but that it must almost of necessity have been made the subject of communication and consultation with this Government, and of treaty or other negotiation with the Native State.

4. If, then, the Proclamation is capable, by fair ordinary interpretation, of another sense than that in which I read it, I think it should be taken in that sense. It certainly may be read in another sense; that, namely, which the Dewan has put upon it, that it simply *re-distributes* the

existing jurisdiction of the several High Courts, without taking away from the Native States, and without conferring upon the High Courts, any portion of the jurisdiction which the Native States possessed before the issue of the Proclamation.

5. That the Sovereign of Travancore possessed Criminal Jurisdiction over Christian European British subjects, for offences committed by them within his territories, against his laws, previous and up to the issue of the Proclamation is indisputable. My earlier opinion proceeds entirely upon that assumption ; although I had not then seen the letter from the Secretary to the Government of India to the Secretary to the Government of Fort Saint George, dated 12th June 1837.

6. If the High Court also possessed a jurisdiction, before the Proclamation, over that class of subjects committing certain offences in Travancore, the Proclamation would have a sufficient subject matter whereon to operate (the British Jurisdiction), without in any way affecting the jurisdiction of the Sovereign of Travancore.

7. Then had the High Court any Criminal Jurisdiction, (not " in" Travancore, to use the term of the Proclamation,) but over Christian European British subjects offending against any laws in Travancore previous to the Proclamation?

8. It certainly had ; both in respect to offences against the British Municipal laws, as pointed out by the Dewan, and as pointed out by the Honorable Mr. Arbuthnot in cases falling under Act I. of 1849, whether the offender was voluntarily delivered over by a Native State ; or, after flying from the Native State, was apprehended within our territories. 28 Vic., Chapter 17, Section 1 also enables the Governor General to make laws to which such subjects would be amenable before British Tribunals, whether the offence was against our own Municipal laws, or the laws of the Native State.

9. There was then in Travancore, at the time of the issue of the Proclamation, a concurrent jurisdiction as to criminal offences committed by Christian European British subjects ; such concurrency being exercised partly by the Travancore Law Courts, partly by the British High Court ; and it would be doing violence to the spirit of our rule to assume that the Proclamation intended to do anything more than deal with that jurisdiction which the British Government possessed.

10. The British and Travancore Governments are not equal powers : we are the Paramount power ; we might, by an act of arbitrary power, which as an act of State no Court of Law could question, confiscate the criminal jurisdiction possessed by Native Princes over British subjects resident within their dominions. But such are not our principles of action ; and we should be nearly certain of falling into error, if we sought to interpret any measure affecting our allies, the Princes of India, by any other rule than that of in intention to base it on what may be *lawfully* done.

11. The Act (28 Vic., C. 20) on which the Proclamation is founded is certainly *alio intuitu* than that of interfering with the jurisdiction possessed by Native States. It is confined to the regulation of the jurisdiction of our own High Courts ; a jurisdiction which is simply that of the old Supreme Court transferred to them by their Charters.

12. I am very thankful to have had the opportunity of reconsidering my first impressions, corrected, as they have been, by the arguments urged against them.

(Signed) J. B. NORTON,
Advocate General.

MADRAS, *7th December* 1868.

No. 30. ORDER THEREON, 14th December 1868, No. 274.

The Governor in Council has had under careful consideration the whole of the papers above recorded, and directs that the opinion of the Advocate General, dated 7th December 1868, be communicated to the Resident of Travancore.

2. In accordance with this opinion, His Excellency in Council sees no reason for questioning the legality of the sentence passed on Mr. Liddell by the Travancore Court, and resolves, therefore, to cancel the Order of Government, No. 217, dated 5th October 1868.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 31. Read the following letter from the Government Agent at Chepauk, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 30th November 1868, No. 297.

I have the honor to submit to the Right Honorable the Governor in Council, the names of the Carnatic Stipendiaries named on the list, over-leaf, who desire the equivalents of their stipends.

2. These Stipendiaries draw their respective stipends under the orders of Government quoted opposite their names in that list, and I have the honor to recommend compliance with their several requests, and furnish the amount of equivalent they can claim.

Nos.	Names.	Authority.	Age.	Amount per mensem. RS.	A.	P.	Amount per annum. RS.	A.	P.	Value of one Rupee per annum.	Bonus. RS.	A.	P.	Remarks.
589	Khader-oon-Nissa...	E. M. C., 5th December 1845.	38	5	0	0	60	0	0	10½	630	0	0	These commutations are in accordance with paragraph 4 of Despatch from the Secretary of State, dated 22nd June 1860, No. 15, and Orders of Government, Nos. 2635 and 200, dated 11th November 1863, and 14th August 1865.
1400	Hoossainy Bee..........	Do. 19th March 1857, No. 230.........	63	4	0	0	48	0	0	7	336	0	0	
1679	Hoomayoon..........	Do. do. do.	76	2	12	0	33	0	0	5	165	0	0	
1970	Syed Hoossain......	Do. do. do.	64	2	8	0	30	0	0	7	210	0	0	
2002	Syed Moortoozah......	Do. do. do.	66	2	5	0	27	12	0	6	166	8	0	
2478	Ruthun Chund...	Do. 18th January 1858, No. 49......................	50	10	0	0	120	0	0	9½	1,140	0	0	
3814	Hafiz Gholam Jeelany..........	Proceedings of Government, 8th September 1859, No. 533.	51	7	0	0	84	0	0	9	756	0	0	
4047	Gholam Hoossain..............	Do. 12th November 1859, No. 664.....................	29	2	4	0	27	0	0	11½	310	8	0	
										Total...	3,714	0	0	

	RS.	A.	P.	RS.	A.	P.
Amount sanctioned for the commutation of the 1801 and 1855 stipends........................	...	...	...	50,000	0	0
Sanctioned by Proceedings of Government, 30th July and 16th September 1868, Nos. 167 and 201...	18,053	13	0	21,767	13	0
Now recommended....................................	3,714	0	0			
			Still available...	28,232	3	0

(Signed) R. S. WILSON,
Government Agent.

GOVERNMNT AGENT'S OFFICE,
30th November 1868.

No. 32. ORDER THEREON, 15th December 1868, No. 275.

Sanctioned.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 33. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 26th November 1868, No. 74.

I have the honor to forward, herewith, in due course, a letter from Mr. Liddell, now under imprisonment in Travancore, which was left open for my perusal.

To THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL,
Fort Saint George, Madras.

The humble petition of JOHN LIDDELL, at present a prisoner in Trevandrum, in Travancore.

SHOWETH,

That, on the 3rd of September last, your petitioner sent, by post, a petition to your Lordship in Council, praying to be released from confinement on the ground that certain proceedings taken against him by the Travancore Government, under which he is suffering imprisonment, were unlawful.

2. That your petitioner has received no reply to this petition, and is still illegally detained in custody by this Government.

3. Your petitioner would submit, for the consideration of your Lordship in Council, that the Court by which the petitioner was tried was illegally constituted in so far as that, the petitioner being a British born British subject, he is not liable to the jurisdiction of the Courts of Travancore, and that this Court consisted of two East Indians and one Native, whereas, if your petitioner is liable to trial at all, he is entitled to be tried before the High Court, and a British Jury.

4. The Commissioners, before whom the case was tried and the witnesses examined, did not themselves pass sentence, but forwarded the proceedings to the Dewan, who sent them to the Sudder Court, consisting of three Natives, who passed sentence on the report of the Commissioners, without examining any witnesses at all.

5. That the proceedings of the Commissioners were further illegal in so far that *out of Court* they sought evidence, and read private letters and papers belonging to the petitioner, and in his absence, that never were produced in Court.

6. Your petitioner would further represent that witnesses, whose evidence was of importance to his defence, were not allowed to be examined.

7. That one witness was not allowed to be examined, on the ground that petitioner had put a question to him on the point he desired him to be examined on, and this while the Commissioners themselves and the prosecution had communicated freely with almost all the witnesses before and during the progress of the trial, and before they were produced in Court.

8. At the very outset your petitioner objected to the jurisdiction of the Commissioners, but this being overruled, and believing, as he then did, that they only constituted a Court of Inquiry for the information of the British Resident, he did not consider it needful to insist upon this objection, nor in any way to obstruct the course of an inquiry which he himself desired.

9. Your petitioner, however, never waived his right, as a British born British subject, to be tried before an English Judge, and an English Jury.

10. At no time was the power of the Commissioners who were specially appointed declared to the petitioner, nor was their Commission read in Court, and it is believed by him that their instructions and authority were altered several times during the inquiry.

11. Your petitioner would again represent to your Lordship in Council that, having been in British Cochin on the 5th of August, all proceedings against him lapsed from that day, even supposing they had originally been lawful or lawfully conducted, which they were not.

12. Your petitioner would also point out, for your Lordship's consideration, that the Dewan of Travancore has no jurisdiction in British territory, under any circumstances, and that no one, not even a Native born Travancore subject, could be lawfully detained in custody, under his warrant or authority.

13. Under these circumstances your petitioner would again humbly solicit that your Lordship will be graciously pleased to order his immediate release, and your petitioner will, as in duty bound, ever pray.

TREVANDRUM, 15*th November* 1868. (Signed) J. LIDDELL.

MEMORANDUM.

It is scarcely necessary for me to make any remarks upon this petition, but I may notice two or three points of the procedure called in question, as follow :—

2. The judicial tribunal did pass sentence upon Mr. Liddell, but it was submitted as is usual in all serious cases, for approval, to the Sudder Court, who slightly modified the sentence of the lower tribunal.

3. I pointed out at the time to the Dewan that the case passing through his hands was objectionable, as interfering with the ordinary course of judicial procedure.

4. The two gentlemen on the Commission, described by Mr. Liddell as East Indians, and not his countrymen, were not of the ordinary class, but gentlemen of status in society, and in that respect pretty much Mr. Liddell's equals, and were selected as the most eligible to secure a due consideration of the case on behalf of Mr. Liddell.

5. The question of jurisdiction, independent of its waivure, is dealt with in the Advocate General's opinion.

6. Nobody knows better than Mr. Liddell himself that it was a criminal trial, and not simply an inquiry for the information of the Resident, as he alleges. The Dewan had already tried the case criminally as Magistrate, and the next step was necessarily to commit it for trial before a regular judicial tribunal.

(Signed) H. NEWILL,
Resident.

26*th November* 1868.

No. 34. ORDER THEREON, 15th December 1868, No. 276.

Recorded, with reference to Proceedings of Government of the 14th instant, No. 274.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 35. Read the following letter from the Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 19th November 1868, No. 283.

With reference to my letter, dated 10th November 1868, No. 271, subject as per margin, I have the honor to bring to your notice that, after paying the slave women and taxes, as directed in Government Order, dated 12th November 1868, No. 245, there will remain in my hands, belonging to Her Highness Nawab Khyre-oo-Nissa Begum, about Rupees 1900. I have suggested to Her Highness that a part of this sum might be allotted to the repairs of the market in Triplicane, belonging to Her Highness, concerning which the Municipal Commissioner has repeatedly addressed Government during the last two years. Her Highness, however, has declined the suggestion, and desires that the whole sum belonging to her, now in my hands, may be returned to her, saying that she herself will have the necessary repairs made in the market, as soon as she is in possession of the money. Under these circumstances, I beg for the orders of Government. The state of the market is said, by the Municipal Commissioner, to be prejudicial to the public health; but if the money in question is put into Her Highness' hands, it may be doubted whether any portion of it will be employed in the manner required. I beg to submit whether Her Highness may be informed that the money (or as much of it as may be required) will be paid to any person who can satisfy this Office that he is *bona fide* employed by Her Highness to make the required repairs.

Submitting, for the consideration of Government, the proposition made to, and approved of by, Her Highness the Nawab Begum, regarding the payment of the claims of the slave women, and of the Municipal Commissioners, out of the money in his hands.

No. 36. ORDER THEREON, 15th December 1868, No. 277.

His Excellency the Governor in Council authorizes the Government Agent, Chepauk, to pay to Her Highness, Nawab Khyre-oo-Nissa Begum, the sum of Rupees 1900, remaining in his hands; and directs that he will call Her Highness' attention to the intimation made in the first paragraph of G. O., dated the 19th June last, No. 751.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following:—

No. 37. From the Commissioner for the Government of the Territories of His Highness the Maharajah of Mysore, to the Secretary to the Government of India, Foreign Department, with the Governor General, Head Quarters, Simla; dated Bangalore, 26th October 1868, No. 4272-199.

I have the honor to submit, for the instructions of the Supreme Government, a question regarding compensation for land required for Military purposes in the station of Bangalore and its immediate vicinity, on which there is some difference of opinion between myself and the Officer Commanding the Mysore Division, at whose request the reference is made.

2. In former days, when cultivated land was required by the Military authorities, application was made, through the Resident, to the Maharajah, who invariably acceded to the request, and ordered his Foujdar to make over the land remitting the Government revenue. As such land was almost invariably dry or unirrigated soil no compensation was ever given, it being assumed in those days that the Government was the proprietor, and not the cultivator.

3. In course of time, and as the country prospered, land in the neighbourhood of the Cantonment of Bangalore has become of great value, especially for building purposes, and in all private transactions for its transfer from 30 to 70 Rupees have been paid per Koodoo, or two-thirds of an acre. Hence, by force of circumstances, the Government has itself been compelled to pay compensation when taking up land for public purposes, and I do not think that this is to be regretted, as a rise in the value of land is a sure sign of prosperity. When we contrast the former state of things in the Rajah's time, when ryots were compelled to cultivate, with the present, when any available land is eagerly sought for for cultivating purposes, we find the best possible proof of the security of tenure afforded by British superintendence.

4. Hitherto all land required by the Military authorities has been made over at once and the revenue on it remitted, but the Mysore State has, since land acquired the increased value referred to within the last seven or eight years, paid compensation to the ryots for the land of which it had lost the revenue. Although up to the present time this course may have been unobjectionable, it appears to me that, under existing circumstances, such compensation should be paid by Her Majesty's Government.

5. General Haines is under the impression that the right to land without compensation, when required for Military purposes, is secured by Treaty, but this view appears to be erroneous.

6. The question is of some importance, as applications for the surrender of lands for Military purposes have, within the last few years, been numerous, and the aggregate compensation already paid has probably not been less than 25,000, the whole of which has been defrayed by the Mysore State, which has at the same time lost the revenue of the lands transferred.

7. I need scarcely observe that the sovereignty of all lands occupied temporarily by the Military authorities rests in the Maharajah, to whom at present belongs the whole of the area on which stand the numerous Military buildings erected by Her Majesty's Government.

From the Assistant Secretary to the Government of India, Foreign Department, General, to the Commissioner of Mysore; dated Fort William, 30th November 1868, No. 2028.

I am directed to acknowledge the receipt of your letter, No. 4272-199, dated 26th ultimo, submitting the question as to the payment by the British Government of compensation for land taken up for Military purposes in Mysore territory.

2. In reply, I am directed to state that His Excellency the Viceroy and Governor General in Council concurs with you in opinion that, when land in Mysore is required for Military purposes,

the amount of compensation which has hitherto been paid from the Mysore Treasury ought, for the future, to be paid by the British Government.

3. His Excellency in Council has referred to the 9th Article of the Treaty of 1799, but it is clear that the provisions of that article do not comprehend the case of land required for Cantonments or other purposes.

No. 2031.

Copy of correspondence forwarded to the Government of Madras for information.

FORT WILLIAM,
FOREIGN DEPARTMENT, GENERAL,
30th November 1868.

(Signed) J. T. WHEELER,
Asst. Secy. to the Govt. of India.

No. 38. ORDER THEREON, 18th December 1868, No. 279.

Communicated to the Military and Public Works Departments.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 39. Read the following letter from the British Consul at Tehran, to the Chief Secretary to Government, Fort Saint George; dated Tehran, 19th October 1868.

I beg to inform you that the Carnatic Stipendiary Mahomed Abdullah Khan Bahadoor signed in my presence this day a receipt for Rupees 798, being the amount of his pension for the period April 1st to September 30th, 1868, inclusive. The receipt was endorsed to Messrs. Forbes and Co., Bombay.

No. 40. ORDER THEREON, 18th December 1868, No. 280.

Communicated to the Government Agent at Chepauk, and to the Accountant General.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 41. Read the following letter from the Secretary to the Most Exalted Order of the Star of India, to the Chief Secretary to Government, Fort Saint George; dated Fort William, 30th November 1868, No. 24.

Star of India.

With reference to your letter of the 10th instant, I have the honor to inform you that the Badge of the Most Exalted Order of the Star of India, conferred on the late Gulam Ali Khan Bahadoor, C. S. I., Nawab of Bunganapilly, has been duly received.

No. 42. ORDER THEREON, 18th December 1868, No. 281.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 43. Read the following letter from the Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 3rd December 1868, No. 302.

With reference to G. O., 7th October 1868, No. 220, paragraph 4, I have the honor to state that by G. O., 5th November 1867, No. 303, I was directed to report under what circumstances the Vakeel of Roshun Mafil (a Carnatic stipendiary) had falsely reported her death. The Vakeel in question was not a person employed by this office, but by the above-mentioned Roshun Mafil's security (the late Sumsaum-oo-Dowlah Bahadoor). When inquiry was made the Vakeel was stated to have gone to Vellore, and on this account the explanation sought for was delayed for some time, and finally the matter was overlooked.

2. I beg to express my regret at the delay which has thus been caused in settling this case. I beg also to submit the following details, not in justification of the delay but in explanation of it.

3. The stipendiary in question is a dependant of the family of the late Sumsaum-oo-Dowlah. She lived in his house and was supported by him. When she went to Vellore on leave the Dowlah was her security, and as her stipend was only Rupees 5 per mensem the security was ample. Consequently when her death was reported to this office there was no reason to suspect any error. Frauds are sometimes practiced by not reporting deaths which have taken place ; but in such a case as the one spoken of there could have been no wrong intention in reporting a death which had not taken place. It was for this reason that I did not enter into details in my first report, that of the 22nd October 1867, No. 270.

4. When the stipendiary returned from leave she took up her residence as before in the house of Sumsaum-oo-Dowlah, and was supported by him. The suspension of her stipend which took place was, therefore, of less consequence to her than it would otherwise have been. It was owing to this, I suppose, that neither the stipendiary nor the Dowlah brought the case to my notice.

No. 44. ORDER THEREON, 18th December 1868, No. 282.

To be recorded.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 45. Read the following letter from the Political Agent at Poodoocottah, to the Chief Secretary to Government, Fort Saint George ; dated Vallam, 27th November 1868, No. 220.

I have the honor to submit my report on the administration of the State of Poodoocottah for Fusly 1277.

2. Subjoined is a statement of the gross extent of land, and the portion actually brought under cultivation during the past Fusly :—

Ayacut.	Acres.
Gross Ayacut including Perumboke	6,67,633
Deduct Perumboke and uncultivated portion of cultivable lands	2,15,611
Do. Shrotriem, entire Inam, endowments of Devastanums, &c., and Jaghire	3,15,394
Total...	5,31,005
Balance cultivated Circar lands...	1,36,628

3. The season in Poodoocottah, during the Fusly under report, was most unfavorable. The failure of rain was very great, and extended from the beginning to the end of the season ; thus affecting the operations of cultivation to a large extent, as well as causing much distress amongst the agricultural population from want of water even for drinking purposes.

4. It will be seen from the following statement, which is an abstract of Enclosure A, that in the Fusly under report, there was, on the whole, a net decrease in revenue of Rupees 55,221-19-10 as compared with that of the preceding Fusly :—

Items.	Fusly 1277.			Fusly 1276.			Comparison. Increase.			Comparison. Decrease.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Land Revenue	2,52,030	13	6	2,90,031	7	8	1,116	12	4	39,117	6	6
Rents	28,816	4	11	30,858	5	3	78	4	11	2,120	5	3
Extra sources	25,744	0	6	40,923	0	10	33	0	6	15,212	0	10
Total...	3,06,591	2	11	3,61,812	13	9	1,228	1	9	56,449	12	7
Net...	......	...	...	......	...	...	......	...	...	55,221	10	10

The principal items of this decrease are as follow :—

		RS.	A.	P.
1.	Varaput Nunjah and Punjah...	33,282	4	1
2.	Money rent	4,834	6	9
3.	Moturpha...	547	7	11
4.	Earth salt...	1,547	1	1
5.	Fees on Jeevedam lands...	503	2	11
6.	Loss by decrease in prices, &c.	14,708	13	11
	Total...	55,423	4	8

Of these the first has arisen entirely from the bad season, and the second followed from certain villages, held in rent up to Fusly 1276, having been placed under Amani in the year under report in consequence of the expiration on their lease. The third, fourth, and fifth are also attributable to the very unfavorable season, which drove many weavers and other traders temporarily out of the Poodoocottah territory, and also caused a decrease in the outturn of earth salt.

5. The revenue demand for the Fusly under report, including rents and the commutation value of Mailwarum grain reaped in Amani villages, amounted to Rupees 2,80,847-2-5, of which Rupees 2,10,829-7-8 were collected within the Fusly; thus leaving a balance of Rupees 70,017-10-9. Out of this, the sum of Rupees 38,387-4-4 was due under the head of "Ready money," and Rupees 18,227-3-6 have been collected since the close of the Fusly, and there is still a balance of Rupees 20,160-0-10 to be realized. Under the head of "Value of grain" there was a balance of Rupees 31,630-6-5, which is being collected, as usual, according to the stipulated instalments.

6. A remission of Rupees 4231-1-3 was allowed to ryots during the Fusly in consideration of the loss they sustained by drought, and of this more than half was granted on account of lands left waste.

7. The outstanding arrears, including those for Fusly 1276, amounted to Rupees 1,90,503-7-1, of which Rupees 77,364-14-11 have been realized in the past year, leaving a balance of Rupees 1,13,138-8-2. A full inquiry into the particulars composing the balance has been completed by the Sirkele, and the result has been that a sum of Rupees 37,810-4-11 has been declared irrecoverable and to be written off, whilst the necessary arrangements have been made for the realization, by instalments, of the recoverable balance of Rupees 75,328-3-3.

8. The actual money collections of the Fusly amounted to Rupees 4,48,560-14-0, as shown below :—

	RS.	A.	P.		
Land Revenue...	1,90,465	1	4		
Extra sources...	20,364	6	4		
Sundries, including interest on Bengal loan...	25,711	6	5		
Recovery of advances...	2,403	9	6		
Deposit Fund...	18,811	3	3		
Devastanums...	1,11,837	9	3		
Collection of the arrears of former Fuslies...	77,364	14	11		
Received from Government, being the value of Khillut...	600	0	0		
Refunds of the amount disbursed for Maramut works...	1,002	11	0		
Total...	4,48,560	14	0		
Add balance in the Treasury at the close of the last Fusly on account of Iyen...	1,67,730	0	10		
Do. on account of Devastanums... 97,806 5 0					
Amount borrowed from Iyen Amanat Fund. 5,757 0 6					
	1,03,563	5	6		
Total...	7,19,854	4	4		

9. On the other hand, the expenditure was as follows :—

		RS.	A.	P.
Current...		2,48,437	5	6
Advances...		3,972	5	11
Paid in liquidation of the debts of the Rajah		1,26,821	2	9
Batta to Public Servants...		536	15	8
Remissions of fine...		83	3	0
Paid in liquidation of the Devastanum debts...		12,600	0	0
Charges from the Deposit Fund...		18,337	5	3
		4,10,788	6	1
Devastanum...		1,43,776	11	2
Balance { Iyen*...	93,664 15 6			
Balance { Devastanum†...	71,624 3 7			
		1,65,289	3	1
Total...		7,19,854	4	4

10. The schedule was exceeded by the sum of Rupees 50,418-3-8; but the following detailed explanation will show that this excess expenditure was altogether unavoidable:—

	RS.	A.	P.
1st.—The continued high price of grain and articles of food of all kinds, caused an increase in the charges allowed for the Rajah's table, in the feeding expenditure of horses, elephants, and cows, oil, batta to the increased number of convicts, and Umbalam to the Ryots.........	12,361	7	0
2nd.—On account of repairs to tanks..........	5,155	15	4
3rd.—Purchase of horse-gram........	4,061	12	4
4th.—On account of the marriage of the First Princess........	15,000	0	0
5th.—Do. do. of Tirumalai Tondiman, (Rajah's brother)...	6,000	0	0
6th.—On account of the attainment of maturity of Tirumalai Tondiman's wife........	1,018	1	6
7th.—Value of types purchased for the printing-office........	300	0	0
8th.—Value of band instruments ordered from England.........	2,876	8	0
9th.—Value of horses........	986	0	0
10th.—On account of repairs to Ragoonathapuram Tanks, &c...	760	14	0
11th.—On account of the annual ceremony of the deceased Prince.	700	0	0
12th.—The cost of the Political Agent's Establishment, which is not provided in the schedule........	1,172	9	6
13th.— Do. Stationery........	25	0	0
Total...	50,418	3	8

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* { In cash...	...	75,169 1 0
{ Deposit Fund...	...	18,495 14 6
		93,664 15 6

† { In cash...	...	7,005 2 5
{ Lent to Iyen from Fuslies 1266 to 1273...		64,619 1 2
	Total...	71,624 3 7

From the above amount, however, I have been able to set off Rupees 18,279-0-9, which has been gained by savings in other items of expenditure allowed in the schedule, so that the total amount expended over and above the schedule may be considered as Rupees 32,139-2-11.

11. Under the head of "Public Works" during the year under report, a sum of Rupees 14,608-10-8 was advanced for the repairs of irrigation works, for the repair of bridges, and for other minor works; this sum added to the balance which remained unexpended at the close of the last Fusly, *i. e.*, Rupees 17,313-13-7, gives a total of Rupees 31,922-8-3, of which works to the extent of Rupees 14,519-2-5 have been executed, leaving a balance of Rupees 17,403-5-10 still to be laid out. Out of this balance Rupees 5414-3-8 has been expended up to date, and the remaining amount will be laid out on works in the course of a month or two hence, when the monsoon will be over.

12. The progress made in liquidation of the registered debts of the Rajah is satisfactory. Out of Rupees 1,55,659-8-8 remaining unpaid at the close of Fusly 1276, a sum of Rupees 1,26,821-2-9 has been liquidated during the year under report, and thus there remains only the sum of Rupees 28,838-5-11 still to be met.

13. I beg to subjoin a statement of the files of the Civil Courts in Poodoocottah from July 1867 to June 1868. During the first six months there were five Moonsiffs' Courts, but they were reduced to three from the 1st January 1868:—

Names of the Courts.	Balance on the 1st July 1867.	No. of suits received from July 1867 to June 1868.	Total.	No. of suits referred to other Courts.	Remainder.	Disposed of. Decreed on merits.	By Razeenamah.	Dismissed.	Total.	Balance.
Civil Court......	66	214	280	2	278	97	71	39	207	71
Moonsiffs' Courts including Small Cause sides. July to December 1867. Kavinad	82	607	689	34	655	471	45	117	633	22
Alangudi	205	1,114	1,319	......	1,319	468	306	382	1,156	163
Kolattur ...	162	668	830	11	819	247	301	180	728	91
Perumanad ...	60	209	269	......	269	97	44	88	229	40
Kilaveli	81	275	356	......	356	76	103	102	281	75
January to June 1868. Cusbah or Alangudi ...	163	987	1,150	......	1,150	314	231	342	887	263
Trimiyam......	.....	1,364	1,364	......	1,364	398	347	393	1,138	226
Kolattur	91	422	513	2	511	247	24	115	386	125
Total...	844	5,646	6,490	47	6,443	2,318	1,401	1,719	5,438	1,005
Court of Small Causes ...	34	768	802	1	801	269	373	152	794	7

From the foregoing statement, it will be observed that the average number of suits decreed by the Civil Court in each month was eight against five in last year; by the Moonsiffs' Courts 193 against 202; and by the Court of Small Causes twenty-two against forty-three. Although the monthly average number of cases decided by the Small Cause Court is comparatively small, yet the balance left undecided, at the end of the Fusly under report, was only seven cases.

14. The following is a statement of the Rajah's appeal file, and shows the number of cases received and disposed of, both on the Civil and Criminal Side, from July 1867 to June 1868 :—

	No. of appeals outstanding on the 1st July 1867.	No. of appeals received from July 1867 to June 1868.	Total.	Disposed of.			Balance.
				No. of appeals decreed on merits.	No. of appeals compromised and dismissed.	Total.	
Civil Side.	39	96	135	71	23	94	41
Criminal Side	2	15	17	17	......	17	......
Total...	41	111	152	88	23	111	41

The foregoing statement shows that, during the year under report, 111 cases have been disposed of, which gives an average of nine cases per mensem against 7½ in last year.

15. In the year under report, the Session Court has disposed of seventy-eight cases consisting of 126 persons, of whom fifty-one persons have been punished, and the rest acquitted. The above number of seventy-eight cases includes also the balance of the previous Fusly. There are no arrears at all. The cases entertained, from 1st January to 30th June 1868, were tried and convicted under the Indian Penal and Criminal Procedure Codes, which were brought into force in the Poodoocottah State from the former date.

16. The usual statement of the sentences inflicted by the Session Court at Poodoocottah, during the year under review, is herewith submitted. The Session Judge is well up to his duties, and capable of properly working the Penal Code, the provisions of which he thoroughly understands. I cannot say the same for all the Sub-Magistrates, some of whom are ignorant and rather inclined to make the Code a means of oppression. I have brought this subject to the notice of the Sirkele, and have told him that all Sub-Magistrates appointed in future, must, if possible, be men of education and have passed the Criminal Test, Lower Grade.

17. The English School at Poodoocottah is doing well, and the average daily attendance amounts to 108, against ninety-six in last year.

18. In the Rajah's Hospital, the patients under treatment were 6178 in number. This institution renders good service to the people at large, its operations not being restricted to the Towns-proper; and Dressers being periodically sent to visit the Taluq Stations to render medical aid to those who may stand in need of it. The daily attendance for medicine varies from seventy to eighty, and the average number of in-patients dieted in the Hospital, is six per diem against five in last year.

19. I am happy to have it in my power, on this occasion, to make, on the whole, a more favorable report on the conduct of the Rajah during the past year than I have hitherto been able to do. He is still, it is true, very much under the evil influence of the junior Ranee; but he has discontinued thwarting the Sirkele like he did formerly, and is, I think, anxious that business should be conducted properly, and fit persons be employed in situations of trust.

A.

ABSTRACT of the Settlement of the Poodoocottah State for

Items.	Settlement of Fusly 1277. Extent of land. Acres.	Gulies.	Square yards.	Quantity of produce. Colums.	Marcals.	Annas.	Amount value, money rent, &c. RS.	A.	P.
Land Revenue. Land. Vara-put. Nunjah......	4,759	18	68¼	16,468	0	12	28,074	13	1
Land Revenue. Land. Vara-put. Punjah......	4,865	17	48	2,921	10	4	4,370	13	10
	9,624	35	116¼	19,389	11	0	32,445	10	11
Land Revenue. Land. Teerva-put. Nunjah........	9,264	19	53¼	......	...	...	29,977	6	5
Land Revenue. Land. Teerva-put. Punjah.........	25,657	4	81	......	...	...	31,542	2	6
	34,921	24	13¼	......	..	...	61,519	8	11
	44,546	20	8½	......	...	...	93,965	3	10
Land Revenue. Sornadayem. Money rent...........................	......	...	......	......	...	...	1,15,279	7	0
Land Revenue. Sornadayem. Do. in lieu of salary.........	......	...	......	......	...	...	16,873	5	8
Land Revenue. Sornadayem. Quit-rent on Jaghire lands... ...	......	...	......	......	...	...	713	8	6
Land Revenue. Sornadayem. Shrotriem tax........................	......	...	......	......	...	...	4,732	2	10
Land Revenue. Sornadayem. Sundry tax..............	......	...	......	......	...	...	20,467	1	8
	......	...	......	......	...	...	1,58,065	9	8
	......	...	......	......	...	...	2,52,030	13	6
Rents. Moturpha..................................	......	...	......	......	...	...	18,920	14	11
Rents. Abkarry...........................	......	...	......	......	...	...	8,569	6	2
Rents. Earth Salt in Amany..................	......	...	......	......	...	...	119	0	10
Rents. Jungle rent..................................	......	...	......	......	...	...	1,043	4	9
Rents. Cows' stable...........	......	...	......	......	...	...	163	10	3
	......	...	......	......	...	...	28,816	4	11
	......	...	......	......	...	...	2,80,847	2	5
Extra Sources. Fees on Jeevadum lands for tank repair..............	......	...	......	......	...	...	415	14	1
Extra Sources. Fees and forfeitures......	......	...	......	......	...	...	3,554	5	4
Extra Sources. Gain by prices, &c....................	......	...	......	......	...	...	12,798	5	1
Extra Sources. Interest on Bengal loan..............	......	...	......	......	...	...	8,975	8	0
	......	...	......	......	...	...	25,744	0	6
	......	...	......	......	...	...	3,06,591	2	11

VALLAM,
27*th November* 1868.

Fusly 1277, in comparison with Fusly 1276.

Settlement of Fusly 1276.									Comparison.						Remarks.
Extent of land.			Quantity of produce.			Amount value, money rent, &c.			Increase.			Decrease.			
Acres.	Gulies.	Square yards.	Colums.	Marcals.	Annas.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	
6,034	29	$115\frac{2}{4}$	33,930	9	8	58,918	4	4	...	...	...	30,843	7	3	
4,272	0	$92\frac{1}{4}$	5,060	10	12	6,809	10	8	...	...	...	2,438	12	10	
10,306	30	$86\frac{3}{4}$	38,991	8	4	65,727	15	0	...	...	...	33,282	4	1	
9,756	4	54	......	...	...	30,421	10	10	...	...	...	444	4	5	
24,949	2	4	......	...	...	30,457	5	5	1,084	13	1	......	...	...	
34,705	6	58	......	...	...	60,879	0	3	1,084	13	1	444	4	5	
45,011	37	$23\frac{3}{4}$	......	...	...	1,26,606	15	3	1,084	13	1	33,726	8	6	
......	...	...	......	...	...	1,20,113	13	9	...	...	...	4,834	6	9	
......	...	...	......	...	...	17,130	7	4	...	...	...	257	1	8	
......	...	...	......	...	...	713	8	6	...	...	...	......	...	...	
......	...	...	......	...	...	4,700	3	7	31	15	3	......	...	...	
......	...	...	......	...	...	20,766	7	3	...	...	...	299	5	7	
......	...	...	......	...	...	1,63,424	8	5	31	15	3	5,390	14	0	
......	...	...	......	...	...	2,90,031	7	8	1,116	12	4	39,117	6	6	
......	...	...	......	...	...	19,468	6	10	...	...	...	547	7	11	
......	...	...	......	...	...	8,495	12	0	73	10	2	......	...	...	
......	...	...	......	...	...	1,666	1	11	...	...	...	1,547	1	1	
......	...	...	......	...	...	1,038	10	0	4	10	9	......	...	...	
......	...	...	......	...	...	189	6	6	...	...	...	25	12	3	
......	...	...	......	...	...	30,858	5	3	78	4	11	2,120	5	3	
......	...	...	......	...	...	3,20,889	12	11	1,195	1	3	41,237	11	9	
......	...	...	......	...	...	919	1	0	...	...	...	503	2	11	
......	...	...	......	...	...	3,521	4	10	33	0	6	......	...	...	
......	...	...	......	...	...	27,507	3	0	...	...	...	14,708	13	11	
......	...	...	......	...	...	8,975	8	0	...	...	...	......	...	...	
......	...	...	......	...	...	40,923	0	10	33	0	6	15,212	0	10	
......	...	...	......	...	...	3,61,812	13	9	1,228	1	9	56,449	12	7	
									Net...	...	..	55,221	10	10	

(Signed) G. L. MORRIS,
Political Agent.

B.

STATEMENT showing some account of the sentences inflicted by the Session Court at Poodoocottah from 1st July 1867 to the end of June 1868.

Number of Cases.	Name of the prisoner.	Charge.	Sentence.	Date of sentence.	Remarks.
1867.				1867.	
No. 42	Sukkary..............	House-breaking and theft.	Sentenced to seven years' rigorous imprisonment, under Section 21, Regulation VII of 1802.	27th July.	
,, 39	Ramen..............	Do. ...	Sentenced to six months' imprisonment with labor in irons, under Clause 6, Section 2, Regulation VI of 1822.	7th Aug.	
,, 43	Manyen and two others.	Maliciously killing cattle.	Released for want of proof..............	7th do.	
,, 26	Veeran Candian and others.	Cattle stealing	Do. do.	13th do.	
,, 41	Kunden Palandan..	Gang robbery.	Do. do.	13th do.	
,, 33	Iyapayel and others	Cattle stealing, and knowingly retaining stolen property.	Sentenced on conviction to two months' imprisonment with labor in irons, under Clause 4, Section 3, Regulation VI of 1822.	24th do.	
,, 34	Periannen and others.	Robbery... ...	Released for want of proof..............	24th do.	
,, 44	Terooppen Calady..	Cattle stealing	Sentenced on conviction to eight months' imprisonment with labor in irons, under Clause 4, Section 3, Regulation VI of 1822.	24th do.	
,, 47	Peria Karoopen, *alias* Karoopen and others.	Attempt at house-breaking.	Sentenced on conviction to seven years' imprisonment with labor in irons, under Section 21, Regulation VII of 1822.	31st do.	
,, 48	Vullien...	House-breaking and theft.	Sentenced on conviction to two years' rigorous imprisonment, under Clause 6, Section 2, Regulation VI of 1822.	31st do.	
,, 49	Vullien...	House-breaking and theft, and retaining possession of stolen property.	Released for want of proof...	31st do.	
,, 50	Chittambram and two others.	Connivance at the escape of prisoners.	Do. do.	11th Sep.	
,, 45	Chittambram and others.	Cattle stealing	Held to find a security in Rupees 50 each for good behaviour and appearance for the term of one year.	16th do.	
,, 53	Aundy..............	House-breaking and theft.	Sentenced on conviction to two years' rigorous imprisonment and 50 lashes with cat-o'-nine tails, under Clause 6, Section 2, Regulation VI of 1822.	16th do.	
,, 52	Veerapen...	Neglect at the escape of prisoner.	Sentenced to one month's imprisonment, under Clause 1, Section 11, Regulation XIII of 1832.	21st do.	

Statement showing some account of the sentences inflicted by the Session Court at Poodoocottah, &c.—(*Continued*).

Number of Cases.	Name of the prisoner.	Charge.	Sentence.	Date of sentence.	Remarks.
1867.				1867.	
No. 22	Sanadappen and others.	Extortion of property.	One was released for want of proof, while the other died before the sentence was passed.	30th Sep.	
,, 40	Adakkenpulien and six others.	Gang robbery.	Held to find a security in Rupees 100 each for good behaviour and appearance for the term of one year.	30th do.	
,, 51	Tylee and two others.	Abortion... ...	Sentenced on conviction, each to one year's imprisonment to the first two prisoners, and to the third prisoner for eight months, under Clause 7, Section 2, Regulation XV of 1803.	30th do.	
,, 58	Chittambram... ...	Escape from custody.	Sentenced to six months' rigorous imprisonment, and with 100 lashes with cat-o'-nine tails, under Clause 3, Section 5, Regulation VI of 1822.	12th Oct.	
,, 59	Alagaparoomal ...	Theft...	Sentenced on conviction to two years' rigorous imprisonment, and with 100 lashes with cat-o'-nine tails, under Clause 4, Section 3, Regulation VI of 1822.	12th do.	
,, 46	Maroodamoottoo and two others.	Gang robbery.	Released for want of proof..............	14th do.	
,, 56	Saivattian	Neglect at the escape of prisoner.	Do. do.	14th do.	
,, 57	Anthony......	Theft...	Sentenced on conviction to 60 lashes with cat-o'-nine tails, under Section 7, Regulation X of 1860, and under Foujdaree Circular of the 28th June 1828, in consideration of the prisoner being too young.	14th do.	
,, 55	Govindan Pandaram.	Gang robbery.	Released for want of proof..............	28th do.	
,, 61	Sanden......	Theft...	Sentenced on conviction to six months' rigorous imprisonment, under Section 7, Regulation X of 1816.	9th Nov.	
,, 62	Appasamy...	House-breaking and theft.	Sentenced on conviction to one year's imprisonment with labor in irons, under Clause 6, Section 2, Regulation VI of 1822.	9th do.	
1865.					
No. 48	Sunniyasi Sholaghan.	Gang robbery.	Released for want of proof..............	16th do.	
1867.					
No. 60	Mootoovailoo Kandian.	Robbery... ...	Do. do.	27th do.	
,, 63	Gooroonathan... ...	Do.	Sentenced on conviction to fourteen years' rigorous imprisonment, under Section 21, Regulation VII of 1802.	27th do.	
,, 64	Seevaramien... ...	Theft...	This prisoner being sentenced in No. 66 of 1867, no sentence was passed in this case.	30th do.	
,, 65	Do.	House-breaking and theft.	Do. do.	30th do.	

Statement showing some account of the sentences inflicted by the Session Court at Poodoocottah, &c.—*(Continued.)*

Number of Cases.	Name of the prisoner.	Charge.	Sentence.	Date of sentence.	Remarks.
1867.				1867.	
No. 66	Seevaramien... ...	House-breaking and theft.	This prisoner having been convicted in the above-mentioned Nos. 64 and 65 of 1867, was sentenced to seven years' rigorous imprisonment, under Section 21, Regulation VII of 1802.	30th Nov.	
,, 67	Vellaveeran	House-breaking and theft, and retaining possession of stolen property.	Released for want of proof..............	30th do.	
,, 69	Malayen......	Attempt at house-breaking.	Do. do.	30th do.	
,, 24	Kadermeera Rowthen, and six others.	Breach of trust.	The first two prisoners were sentenced to find security in Rupees 150 for good behaviour and appearance for the term of one year, while the others were released for want of proof.	14th Dec.	
,, 70	Satiavailun...	Counterfeiting coin.	Released for want of proof............	16th do.	
,, 72	Meenatchee.........	Attempt at suicide.	Do. do.	16th do.	
,, 71	Auroomooghum....	House-breaking and theft, and retaining possession of stolen property.	Having come to know that the prisoner was not guilty of theft, because as the property that is said to have been stolen was found on the road, the Court sentenced the prisoner to six months' imprisonment, under Section 7, Regulation X of 1816, for having retained and appropriated to his own use the above property, which ought to be delivered to public authorities.	21st do.	
,, 68	Periyan...	Counterfeiting coin.	Sentenced to one year's rigorous imprisonment, under Section 6, Regulation II of 1822.	23rd do.	
,, 20	Muttukaruppan and four persons.	Neglect at the escape of prisoners.	Released for want of proof............	28th do.	
,, 73	Varudun.	House-breaking and retaining possession of stolen property.	Sentenced on conviction to 30 lashes with cat-o'-nine tails, under Clause 6, Section 2, Regulation 6 of 1822, and under Foujdaree Circular of 28th June 1828, in consideration of young age.	28th do.	
,, 75	Paitchee......	Escape from custody.	Sentenced to two months' rigorous imprisonment, under Clause 3, Section 5, Regulation VI of 1822.	28th do.	
,, 74	Rungan and others.	Maliciously killing cattle.	Held to find a security in Rupees 25 and appearance for the term of two months.	30th do.	

Statement showing some account of the sentences inflicted by the Session Court at Poodoocottah, &c.—(*Continued.*)

Number of Cases.	Name of the prisoner.	Charge.	Sentence.	Date of sentence.	Remarks.
1868.				1868.	
No. 1	Mootooveera Malaveran and three others.	Dacoity, under Section 395, Indian Penal Code.	Released for want of proof...............	18th Jan.	
,, 5	Teroovanden... ...	Escape from custody.	Sentenced to six months' rigorous imprisonment, under Clause 3, Section 5, Regulation VI of 1822.	18th do.	
,, 6	Ramasawmy... ...	Robbery... ...	Sentenced to fourteen years' imprisonment with labor in irons, under Clause 3, Section 4, Regulation XV of 1803.	20th do.	
,, 8	Vyapoory............	House-breaking.	Sentenced on conviction to one year's rigorous imprisonment, under Clause 4, Section 2, Regulation VI of 1822.	27th do.	
,, 3	Mootten......	Dacoity... ...	Sentenced to fourteen years' rigorous imprisonment, under Clause 3, Section 4, Regulation XV of 1803.	29th do.	
,, 2	Ramachendra Narangien and others.	Escape from custody.	Sentenced to four months' imprisonment with hard work, under Clause 3, Section 5, Regulation VI of 1822.	30th do.	
,, 10	Supprayen...	Neglect at the escape of prisoner.	Sentenced to two months' imprisonment, under Clause 3, Section 5, Regulation VI of 1822.	5th Feb.	
1867. No. 54	Peria Karoopen, *alias* Karoopen and others.	Gang robbery.	This case was dismissed under the Sirkele's Order, No. 3 of 1868, in consequence of the death of one prisoner and others being punished in another case, and also in consequence of the absence of the plaintiff and his witnesses.	9th do.	
1868. No. 4	Teroovandan... ...	Theft, under Section 379, Indian Penal Code.	Released for want of proof...............	29th do.	
,, 7	Govinden and two others.	Neglect at the escape of prisoner.	Sentenced to two years' rigorous imprisonment to each, under Clause 2, Section 11, Regulation XIII of 1832.	29th do.	
,, 9	Mootten...	Lurking house trespass and dacoity.	Sentenced to fourteen years' rigorous imprisonment, under Clause 3, Section 4, Regulation XV of 1803.	29th do.	
,, 13	Rungen and three others.	Dacoity... ...	Released for want of proof.............	29th do.	
,, 14	Aroonachellum and others.	Theft...	One prisoner was sentenced to one month's rigorous imprisonment, under Section 7, Regulation X of 1816, while the others was released for want of proof.	7th Mar.	
,, 11	Teroovandan... ...	Lurking house trespass and dacoity.	Released for want of proof...	14th do.	

Statement showing some account of the sentences inflicted by the Session Court at Poodoocottah, &c.—*(Continued.)*

Number of Cases.	Name of the prisoner.	Charge.	Sentence.	Date of sentence.	Remarks.
1868.				1868.	
No. 16	Moorooghun... ...	Lurking house trespass and dacoity.	Released for want of proof...	16th Mar.	
,, 17	Komaren..........	Do. ...	Do. do.	16th do.	
,, 15	Peria Karoopen....	Dacoity... ...	Do. do.	16th do.	
,, 12	Periannen Shaipplan.	Do. ...	Do. do.	30th do.	
,, 18	Pitchen......	Robbery and voluntarily causing hurt, under Sections 392 and 394, Indian Penal Code.	Sentenced to five years' rigorous imprisonment.	1st April.	
,, 19	Palanivailoo and five others.	Criminal breach of trust, and aiding to commit the offence, and dishonest misappropriation of property, and dishonestly receiving stolen property, under Sections 408, 109, 403 and 411, Indian Penal Code.	The first prisoner was sentenced to seven years' rigorous imprisonment, while the others were released for want of proof.	15th do.	
,, 20	Sinnan..............	Dacoity, under Section 395, Indian Penal Code.	Released for want of proof.............	18th do.	
,, 21	Sanden and others.	Do. ...	Do. do.	25th do.	
,, 22	Mootooveran and three others.	Do. ...	Sentenced to three years' rigorous imprisonment.	27th do.	
,, 23	Kunden...	Theft, under Section 379, Indian Penal Code.	Do. do.	27th do.	
,, 24	Aurunan......	Robbery and voluntarily causing hurt.	Released for want of proof..............	11th May.	
,, 25	Alaghun...	Theft...	Sentenced to two years' rigorous imprisonment, under Clause 4, Section 3, Regulation VI of 1822.	20th do.	
,, 26	Alaghun......	Dacoity.. ...	Released for want of proof...	20th do.	
,, 27	Alaghun......	Do.	Do. do.	20th do.	
,, 28	Sinnan...	Causing grievous hurt by an act which endangers life.	Do. do.	27th do.	

Statement showing some account of the sentences inflicted by the Session Court at Poodoocottah, &c.—(*Concluded.*)

Number of Cases.	Name of the prisoner.	Charge.	Sentence.	Date of sentence.	Remarks.
1868.				1868.	
No. 29	Sinnan...	Escape from custody, under Section 224, Indian Penal Code.	Sentenced to six months' rigorous imprisonment.	27th May.	
,, 30	Palany..............	Lurking house trespass and dacoity.	Sentenced to fourteen years' imprisonment, under Clause 3, Section 4, Regulation XV of 1803.	30th do.	
,, 31	Moottookurpen and others.	Dacoity, under Section 395, Indian Penal Code.	Sentenced each to four years' rigorous imprisonment.	8th June.	
,, 32	Karoopen, and two others.	False personation for the purpose of any act or proceeding in a Suit, and aiding to commit offence, under Sections 205 and 109, Indian Penal Code.	Sentenced each to three months' imprisonment.	24th do.	
,, 33	Mooniyandy	Escape from custody.	Sentenced to four months' imprisonment, under Clause 3, Section 5, Regulation VI of 1822.	27th do.	
,, 34	Karoopen...	Attempt for committing offence.	Released for want of proof...	29th do.	

POODOOCOTTAH, SIRKELE'S OFFICE,
11*th November* 1868.

(Signed) BHAWANY SHENKER ROW,
Sirkele.

(True Copy.)

(Signed) G. L. MORRIS,
Political Agent.

No. 46. ORDER THEREON, 18th December 1868, No. 283.

His Excellency the Governor in Council regrets to learn from the Political Agent's report on the administration of Poodoocottah for Fusly 1277, that the past season has been again unfavorable to the extent of seriously affecting the cultivation of the land, and causing much distress among the agricultural class.

2. From this cause there has been a decrease of revenue of Rupees 55,221-10-10 as compared with that of the preceding Fusly. It appears that a remission of Rupees 4321-1-3 was allowed to the ryots during the Fusly under report, in consideration of the loss sustained by the drought.

3. The revenue demand for the year, including rents and the commutation value of Mailwarum grain reaped in Amani villages, amounted to Rupees 2,80,847-2-5, of which Rupees 2,10,829-7-8 were collected within the Fusly, leaving a balance of Rupees 70,017-10-9. Out

of this, the sum of Rupees 38,387-4-4 was due under the head of "Ready money," and Rupees 18,227-3-6 have been collected since the close of the Fusly, leaving a balance of Rupees 20,160 to be recovered.

4. Under the heading of "Value of grain," there was a balance of Rupees 31,630-6-5, which is being collected according to stipulated instalments.

5. The outstanding arrears, including those of Fusly 1276, amounted to Rupees 1,90,503-7-1, of which Rupees 77,364-14-11 have been realized, leaving a balance of Rupees 1,13,138. Of this Rupees 37,810-4-6 have been ascertained to be irrecoverable, and have been written off.

6. The total money collections of the year under report amounted to Rupees 4,48,560-14-0, as exhibited below:—

	RS.	A.	P.
Land Revenue	1,90,465	1	4
Extra sources	20,364	6	4
Sundries including interest on Bengal loan	25,711	6	5
Recovery of advances	2,403	9	6
Deposit Fund	18,811	3	3
Devastanums	1,11,837	9	3
Collections of the arrears of former Fuslies	77,364	14	11
Received from Government being the value of Khillut	600	0	0
Refunds of the amount disbursed for Maramut works	1,002	11	0
Total...	4,48,560	14	0

The expenditure was as follows:—

	RS.	A.	P.
Current	2,48,437	5	6
Advances	3,972	5	11
Paid in liquidation of the debts of the Rajah	1,26,821	2	9
Batta to Public Servants	536	15	8
Remissions of fine	83	3	0
Paid in liquidation of the Devastanum debts	12,600	0	0
Charges from the Deposit Fund	18,337	5	3
	4,10,788	6	1

7. The schedule has been exceeded by Rupees 50,418-3-8; but a large proportion of this expenditure was incurred for marriage and other ceremonies which were indispensable. The excess was also in part caused by the increased prices of articles of food required for the maintenance of the Palace and other Establishments.

8. As a set off against this excess there has been a saving of Rupees 18,279 in other items of expenditure sanctioned in the schedule.

9. There was a sum of Rupees 31,922 available for expenditure in useful public works, the whole of which will shortly have been disbursed. The liquidation of the registered debts of the Rajah has been very satisfactory. Out of Rupees 1,55,659-8-8 remaining unpaid, Rupees 1,26,821-2-9 have been paid, leaving a balance of Rupees 28,838-5-11 for payment.

10. The working of the Courts, during the year under report, has been, on the whole, satisfactory. The Indian Penal Code and the Code of Criminal Procedure have been introduced during the year; and these Codes are well administered by the Session Court.

11. The necessity for remedying the deficiencies of the Sub-Magistrates, which are noticed in paragraph 16 of the report, have been properly impressed upon the Sirkele.

12. The Governor in Council is glad to hear of the continued success of the English School at Poodoocottah, and the extended usefulness of the Rajah's Hospital. His Excellency is also much gratified to receive a favorable account of the Rajah's conduct during the past year, and to learn that he evinces anxiety for the efficient conduct of the public business by trustworthy and competent persons.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 47. Read the following letter from RUZZIA BEGUM, residing in Triplicane, to the Chief Secretary to Government, Fort Saint George; dated 2nd October 1868.

I submitted a Memorial, under date the 17th September 1868, for transmission to His Excellency the Right Honorable Her Majesty's Secretary of State for India. That Memorial was returned to me because, in my letter to your honor, I had omitted requesting your honor to have it transmitted. In now again enclosing the said Memorial, I would beg respectfully to represent that I am an unfortunate female in utterly destitute circumstances, and that helpless as I am I most humbly solicit your honor to bring my claims, for a due portion of my late husband's pension, to the favorable notice of Government, and with their recommendation transmit my Memorial to the Home authorities.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA IN COUNCIL,
EAST INDIA HOUSE,
LONDON.

The humble Memorial of RUZZIA BEGUM, widow of UKBER HOOSSAIN KHAN, late a Carnatic Stipendiary, residing at Meersaheb-pett, Triplicane, Presidency of Madras.

MOST HUMBLY SHEWETH,

That Memorialist's deceased husband, said Ukber Hoossain Khan, was the grand-son of Nuzeeb-ool-Nissa Begum, *alias* Shurfool-ool-Nissa Begum, one of the nickah daughters of His Highness the Nawab Wallajah, who enjoyed a monthly stipend of Rupees 416-10-8.

2. That on her decease, in 1862, one-third of that amount of pension, viz., 138-14-2, was distributed among her descendants, of whom Memorialist's husband had conferred on him an allowance of Rupees 39 per mensem. This stipend was sanctioned with arrears in August 1865, which, under the wise dispensation of Providence, he enjoyed but for a short time, he having died in 1866.

3. Subsequent to the decease of Memorialist's husband, she applied to Government in petition No. 1361 of 1868 for a continuance of a due portion of her late husband's pension to her.

4. On that petition the local Government passed the following endorsement:—" In granting " the petitioner's husband and his brothers and sister their pensions, the Government stated they " were continued ' on the distinct understanding that they are to lapse finally on their respective " deaths.' The pension was granted in 1865, but it was granted with arrears from the 14th March " 1862, so that petitioner's husband really drew pension for four years or more. No stipend can " be granted to the petitioner."

5. With respect to this endorsement Memorialist would humbly and respectfully urge that the sentiments expressed therein are neither just nor equitable, and for the subjoined reasons:—It was arbitrary on the part of Government to declare the pension of Memorialist's husband to be a life-grant, since it was in flat contradiction of Lord Clive's Minute of the 29th September 1801, in which it is distinctly laid down that the pensions of the Carnatic Stipendiaries should be gradually reduced. This principle was subsequently confirmed by the late Honorable the Court of Directors in their Despatch of the 14th March 1846, and again reiterated in their letter of 22nd May 1850, and accordingly stipends have been and are continued on a reduced scale even to the fourth and fifth lives of the descendants of the lineal heirs of the Wallajah, whether shadee or nickah sons or daughters. And, again, Government would seem to make it another ground of refusal, that her husband did virtually enjoy the pension for four years. How does this preclude Memorialist from her right to succeed to a due portion of his pension. Her grand-mother was the first life, her husband was the second life, and he enjoyed the pension but for a short time, and it is inconceivable to imagine why it should be refused to be continued in Memorialist's name as a third life, when pensions are being bestowed on the fourth and fifth lives of many Carnatic Stipendiaries, as above shown.

6. But Memorialist's husband was neither a collateral or dependant of the Wallajah, but was a direct lineal descendant, and as his widow Memorialist should have his pension continued to her, with the deduction of his personal expenses.

7. By the death of Memorialist's husband, on whom she, her son, and three daughters were entirely dependant, she has been left in the most destitute circumstances, and it is hard that she should be now left in the utmost depths of misery to the keen pangs of want and starvation without food, without raiment, and without shelter. Heaven only knows what her sufferings are, and surely if from no other consideration a pension might be bestowed on her as a compassionate grant.

8. The late Honorable Court of Directors, in their Despatch of the 3rd March 1858, say in paragraph 12—"Although the claims of the deceased Stipendiary to the pension he enjoyed seem "to have been but slender, this should not exclude his widows from charitable consideration if "they were in destitute circumstances."

9. Memorialist would here respectfully submit that her husband's claim was not a slender one, but the pension conferred on him was consequent on his being a grand-son in direct lineal descent of His Highness the Nawab Wallajah. If then from no other consideration, and even without reference to the orders quoted afore, surely according to the mild and benevolent views expressed by the Honorable Court, Memorialist's case might be taken into "charitable consideration."

She is in the most destitute and humiliating circumstances. As already stated, she and her children were entirely dependant on her deceased husband. Since his demise, she is without food, raiment, or shelter.

Under these hard and pitiful circumstances Memorialist most humbly and respectfully solicits your Excellency to be graciously pleased to pass an order, that a due portion of her deceased husband's pension may be continued to her and children.

For which act of justice and mercy Memorialist, as in duty bound, shall ever pray.

17th September 1868.

No. 2188.

The Memorial will be forwarded to the Secretary of State, through the Government of India.

(By Order.)

FORT SAINT GEORGE,
26*h November* 1868.

(Signed) C. G. WALKER,
Under Secy. to Govt.

No. 48. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 19th December 1868, No. 284.

Referring to paragraph 3 of the rules for the submission of Memorials, &c., dated the 15th August 1867, I am instructed to forward a Memorial* to the address of the Secretary of State for India, from Ruzzia Begum, widow of Mahomed Ukber Hoossain, Carnatic Stipendiary, who was in the receiptof Rupees 39-10-10 per mensem. The Memorialist appeals from the orders of this Government declining to continue to her any portion of her late husband's pension, as it was granted on the distinct understanding that it would lapse finally on his death.

* Dated 17th September 1868.

2. Copies of the Proceedings of this Government, dated the 2nd and 16th August 1868, Nos. 197 and 202, are enclosed; and I am to state that His Excellency the Governor in Council sees no reason for modifying the decision in the Memorialist's case.

(Signed) R. S. ELLIS,
Chief Secretary.

Proceedings of the Madras Government, Political Department, 21*st December* 1868.

Read the following papers :—

No. 49. From the Pattastree or the Senior Ranee Sahib of the present Maharajah of Poodoocottah, to His Excellency the Governor in Council, Fort Saint George ; dated Poodoocottah, 29th April 1868.

Although it is a matter of deepest regret to me to be obliged to intrude upon your Excellency's precious hours with memorials of this nature, yet, being no longer able to endure the sufferings I have been subjected to, I have ventured to lay before your Excellency, in detail, the following grievances, in the sanguine hope that your Excellency will compassionate my distress, and grant me justice by an early redress.

2. The pains and interest which the Government are pleased to take, like a kind parent, in the protection of this State, by correcting the Maharajah from time to time, and checking the evil pursuits of his life, prompted with no other motive than that of the dispensation of justice to the people, and the well-being of the State, do, I presume, entrust me with stronger claims upon your Excellency's benevolence and clemency.

3. I admit that, at first view, the subject matter of this memorial would appear to be purely of a domestic nature ; but a thorough perusal of this memorial, and a moment's reflection upon the condition and circumstances of so helpless a creature as myself, will, I humbly hope, strongly convince your Excellency that, unless your Excellency's kind support be extended towards me, I, with my two daughters, must, in no longer time, be reduced to dust.

4. Now, in beginning with the history of my sufferings, I beg your Excellency will permit me to treat, firstly, with the description of my origin and connexion with the Maharajah ; secondly, with treatments I experience at his hands ; and thirdly, the reliefs I would seek at your Excellency's benevolent hands.

5. To commence with the first of these articles, I beg to state as follows:—

I am the daughter of the Kallacottai Zemindar in the Tanjore District, paying a large amount of kist to the Government, and well-known for his respectability and other virtues. When the Maharajah was a minor, the honorable mother of the present Maharajah, in the discharge of her duties as an affectionate parent and guardian, chose my family as the fittest one for contracting an alliance, and applied to my honored father to give me in marriage to her son "the Maharajah." Sir John Blackburn, the then Collector of Madura, highly applauded my honored mother-in-law's selection, and my marriage with the Maharajah was consummated in 1845, under his management and superintendence, to the great joy and satisfaction of all the royal members, as well as of all the officers of the State from the highest to the lowest. Some five or six years after my marriage the Maharajah evinced a desire to marry the second Ranee, the daughter of the Nadoovasul Zemindar, which was accordingly consummated, notwithstanding the serious opposition offered thereto by all relations, more particularly by the Maharajah's honored mother ; an alliance which, as the Government is already aware, brought on so many miseries upon the State, and reduced the Maharajah to so low a position as his present one.

6. I would humbly beg to submit that, for my part, I behaved towards the Maharajah as any virtuous wife would behave towards her beloved husband, and in the course of time was blessed, by the grace of God, with two female children, the eldest of whom has attained her maturity and is now about fourteen years old, while the youngest has very lately entered the twelfth year of her age.

7. In the course of a few years after his marriage with her, the second Ranee, by some stratagems or other, completely caught the Maharajah under her sway, and taking advantage of his weak position, began to take an active part in the administration of the public affairs with the assistance and co-operation of her vicious brothers. The mischiefs committed by them having formed the subject of several correspondence between the Political Agent and Government, I refrain from giving any details of the same. She not only compelled the Maharajah to give over

to herself all the private property secured by his honored mother, and other relatives, from time immemorial, amounting to two lakhs of Rupees, including valuable jewels, diamonds, pearls, clothes, silver and golden vessels, but also drove him to the necessity of incurring large amount of debts. Thus the more she and her brothers advanced in power and influence, the more she acquired the disaffection of the people, the disgust of Officers, and the discontentment of the relatives.

8. The second wife having thus gained the complete sway over the Maharajah, she next directed her attention towards me, and the items of the oppressions done to me by the Maharajah at her ill-persuasion are enumerated hereunder :—

I. The Maharajah is strictly prohibited from seeing me. It is now more than ten years that he visited my apartment, I being disallowed access to his palace.

II. I am not called to partake the religious ceremonies which by Hindoo Law I am entitled to partake.

III. I am not invited to any of the festive days, such as Deepavali, Pongul, &c.

IV. Notwithstanding that I am Pattastree, I was not taken to Ramasweram pilgrimage which the Maharajah undertook in 1861.

V. No care is taken towards the maintenance and the well-being of my children.

VI. The ear and nose-boring ceremonies of my younger daughter has not as yet been performed, though it ought to have taken place in the third year of her age, according to the custom of our caste.

VII. No proper allowance is given to me for the support of myself and children.

VIII. No jewels of any value has been made for the use of my children.

IX. No ceremonies were performed by the Maharajah when my daughter attained her maturity.

X. No attention was paid by the Maharajah when my daughter was seriously ill, and no medical assistance was afforded, and she recovered of her illness by providential grace.

XI. I and my children were not even invited for the marriage now celebrated to the Maharajah's first daughter by his second wife, which the Political Agent knows well.

XII. The Maharajah's daughter by his second wife is adorned with all sorts of jewels to the amount of nearly 80,000 Rupees.

XIII. The Maharajah gives immense sums privately for their expenses.

XIV. The Maharajah has spent nearly 1½ lakhs of Rupees in taking the second wife to Ramasweram.

XV. A sum of Rupees 40,000 was spent in sending the second wife to Teroopathy.

XVI. In the marriage of her daughter the sum of Rupees 50,000 has now been spent.

XVII. The debt which the Maharajah has contracted to the amount of 5 lakhs of Rupees was given to the second wife and her relatives.

9. The various oppressions and disgraces I am put in are so numerous that the narration of them cannot but be tedious to your Excellency.

10. In connexion with the above, I beg to submit that the Maharajah selected two husbands to my two daughters, and proposed consummating the marriage along with the one lately celebrated. The bridegrooms named in the margin are of so mean a birth and profession, that none of my relatives could approve of the match. Mazernamas* were received impeaching their character and conduct, and it was found also that they were attacked by permanent disease. One of them was concerned in the commission of some heinous crimes, and warrant was out against

Moothooperumal Kadoovetty, and Nallaperumal Tannaderian.

*Copies of which marked C. and D. are herewith submitted for perusal.

him. I sent word to the Maharajah that I do not like the bridegrooms, but he endeavoured to perform the marriage by force, which* circumstance was brought to the notice of the Political Agent, G. Lee Morris, Esq., whose answer I am still expecting. But, in the meanwhile, he prudently withdrew the amount sanctioned on account of the marriage of my daughters, and so the marriage was eventually stopped. Still the Maharajah is retaining these bridegrooms, feeding them at his own cost, and nursing them in the palace solely with a view to sacrifice the happiness of my daughters to the fury of his second wife. I brought all these circumstances to the notice of the Political Agent who seems to pay little attention to the subject. I wrote† to him several times urging on him the necessity of performing the nose and ear-boring ceremonies of my young daughter at least. I did not receive anything in reply from him.

* Copy of a letter to the Political Agent marked A., enclosure B. is forwarded for inspection.

† Copy of a letter to the Political Agent marked F. is herein enclosed.

11. During his late stay at Poodoocottah, I wrote‡ to him to let me know his intention on the subject. His answer was that I should seek the favor of the Rājah for all matters.

‡ Copy of a letter to the Political Agent marked G. is submitted for perusal.

12. Another greatest disadvantage I am put in is, that I am deprived of my management of my Jagheer affairs. A few villages to the annual income of Rupees 15,000 are set apart for the private expenses of the ladies of the palace, the management whereof is usually devolving on the Senior Ranee of Manoverthy. So it was managed by my honored mother-in-law during her life-time. After her death, the Maharajah continued to manage it as a trustee ; but the trustee rules were violated, and the income was recklessly spent on frivolous pursuits, and the Jagheer was plunged into heavy debts. These circumstances spontaneously reaching the then Political Agent Mr. Parker, who placed, with the sanction of Government, the management in the hands of the Sirkele, who is to be responsible to the Political Agent and Government for the due preservation thereof. For want of time to devote attention to the efficient management of this estate, and for other divers reasons, no marked progress is made in the revenue, and no permanent improvement is made to the estate, and the source of irrigation is wholly neglected. I thought it better to have the management thereof, and requested the Sirkele to arrange for transferring the same to me, but in vain. Afterwards, as a last recourse, I wrote§ to the Political Agent soliciting his interference in the matter which also shared the same fate. It is reasonable that assistance in these matters will only be rendered to the influential, and that, in my helpless state, no one will be inclined to afford me relief. Being entirely deprived of all support, and being tried by many difficulties and hardships, I was unavoidably obliged to mortgage almost all my jewels for the due support of myself and my children, my relatives, and dependents. The jewels are exhausted; my children have grown up ; no one about me to support and encourage. Under these circumstances, I now venture to ask your Excellency's interference in my behalf, and support me by granting the reliefs prayed for hereunder:—

§ Copy of a letter to the Political Agent marked D. is forwarded for perusal.

1st.—Your Excellency should be pleased to order the restoration of the Jagheer to my management.

2nd.—The jewels mortgaged by me should be redeemed and given to my possession. The debts incurred by me to satisfy the growing demands of necessities may be liquidated from the surplus funds of the said Jagheer.

3rd.—The marriage of my daughters should be celebrated giving them to the bridegrooms selected by myself.

4th.—The ear and nose-boring ceremonies of my young daughter should be celebrated by sanctioning by the Political Agent the similar sum of Rupees 9000, as allowed for the performance of those ceremonies to the daughter of the Maharajah by his second wife in 1860 and 1862.

5th.—Jewels to both children should be furnished at the rate given to the said eldest daughter of the Maharajah by the second wife.

13. In conclusion, I would beg to submit that I have not put forth in this memorial even one hundredth part of my grievances, which I have omitted for fear that it would prove tedious to your Excellency. I, therefore, beg humbly to solicit your Excellency will be kindly pleased to advise the Political Agent to pay me a visit, and after ascertaining the real state of my circumstances personally by himself, to give your Excellency an explicit report upon my humble memorial. The late Political Agent, Mr. Parker, had paid a visit to my mother-in-law when he had to ascertain her real complaints.

From the Pattastree or Senior Ranee Sahib of the present Maharajah of Poodoocottah, to the Political Agent of Poodoocottah ; dated 17th July 1867, A.

As you are perfectly well-aware of the relation between the British Government and this State, and the interest which the Government are ever pleased to take in its well-being even by taking upon themselves to manage the affairs of the country in the absence of anything in return, I abstain intruding upon your precious hours with any detail of the same, and as a representative of that paramount authority at this Durbar, I beg to bring to your notice my grievances for your attention and redress.

2. I beg to state that I am the senior wife of the Maharajah of Poodoocottah, according to our Shastras even styled his Pattastree ; the Maharajah has got his two daughters by me, one aged fourteen, and the other eleven years old. A few years after I was made his wife, the Maharajah married the daughter of the Nadoovasul Zemindar as his second wife. Not long after this alliance was effected, she brought here her whole family, and, by various stratagems and tricks which I am ashamed to explain, she succeded in placing the Maharajah under her complete control, and rendered him quite unable to utter even a word against her will. As a first act of her influence she prevented the Maharajah from frequenting my palace, and gradually gained over him entirely to forsake myself and my poor daughters ; this success led her to greater aspirations. She began to take an active part in the administration of the country through her brothers, whose mischievous conduct brought it to its present ruinous condition, and it is not now for me to enumerate various instances of oppressions and cruelties caused by her and her brothers as they are well-known and reputed, and as they are of no use to my present purpose. I beg, therefore, to explain some items of my grievances in the sanguine hopes that they shall not fail to move your honor to have some pity on my circumstances :—

1st.—It is upwards of ten years that the Maharajah visited me in my palace, nor allowed me access to his.

2nd.—On a late occasion when the Maharajah undertook a pilgrimage to Ramasweram, in consequence of the Maharajah's prohibition of the second wife, never took me nor my daughters along with him.

3rd.—Under her persuasion, the Maharajah never invited me nor my children to the palace for any of the festivities, such as Veralachmeeverootham, Deepavali, and Pongul, &c.

4th.—The Maharajah never celebrates the annual birthday ceremony of my daughters, either in his palace or in mine.

5th.—The Maharajah did not perform any of the necessary ceremonies to my daughters as enjoined by our religion, though they have grown up to their full age.

6th.—The ear-boring ceremony of my youngest daughter, which was to be performed at the third year of her birth, has not yet been celebrated, though she now obtains the eleventh year of her age.

7th.—No jewel has been presented to two of my daughters.

8th.—Except the trifling sum of my allowances settled on me during my young age, I receive no help whatever to keep up my household expenses ; while large additions have been made to her from various funds. The Maharajah's whole allowance and the debt he borrows are spent according to her pleasure. In short I beg sincerely to tell you that the life of the wife of a common ryot is more comfortable and happier than mine. I hitherto endured all these oppressions and cruelties with patience, solely from a fear my complaints may probably fetch some bad consequences, and add misfortunes to this State.

But as my daughters, though possessing a father, are so unfortunate as to be deprived of all paternal tenderness and affection, and as my duty as their mother is not to overlook their interest and to render them unhappy, I am now compelled to write to you this communication whatever be the consequence.

I need not mention the binding effect of the marriage among Hindoos. According to the custom of our house, a matrimonial alliance once formed is, on no account, to be broken, whether happiness or unhappiness is to be carried throughout the life. Hence it has become the most essential part of the paternal duty to dispose of the female children to a suitable match, as all their prosperity depend solely on the conduct and well-being of their husbands. The Maharajah is not unaware of all these things, and the husband selected for his eldest daughter by the second wife is by no means to be questioned. The enmity of the second wife towards me having, after the banishment of her brothers, assumed such a severity that she is resolved to render my daughters as wicked as could be imagined ; consequently she instigated the Maharajah to forget his parental duty, and to choose the most disgustful figures of human life as husbands of my daughters. Perumal Cadoovetty is a man of mean birth, and a professional robber ; he had on many occasions been apprehended in many cases both in the Pattoocottah and this State, and even now a warrant is out against him for his participation in a gang robbery, and, in order to avoid the service of the warrant, he is now harbored within the palace ; the other is subject to incurable disease. Both of them are illiterate, aged 30 and 35, respectively. I enclose the Mazernamas* received by me from some of my relations complaining of their conduct for your perusal. On these grounds I communicated both to the Maharajah and the Sirkele that I am not disposed to give my daughter to such unhappy wretches, and desired the latter to intimate to you this resolution ; but I am told that you have approved of the match, and allowed the Maharajah to perform the marriages, and that the Maharajah is persuaded to perform the marriage forcibly, taking away the daughters from my possession, a proceeding which cannot be effected without bloodshed and loss of lives. If you are not so kind as to take the preventive before matters come to such a crisis, you will shortly hear of many persons deaths committed by powerful hands, and innocent poor.

* Two Mazernamans are herewith forwarded.

I have been further told that, in case he fails to bring my daughters to his palace by force, he is persuaded to expend the whole sum sanctioned for the marriage of his eldest daughter by his second wife. I have, therefore, sent a Memorandum† to the Sirkele to withhold the payment of the sum estimated and sanctioned for the marriages of my two daughters, and also objecting payment of any sum from Manoverthy Fund without my consent, on account of this marriage of which I shall write to you separately.

† Copy of which is herewith submitted.

Under these circumstances, as I am afraid that, in the absence of your interference in the marriage affair, disastrous consequences will ensue, I beg to request you will be good enough to come down here at your earliest convenience, and kindly take upon yourself the selection of husbands for my daughters and solemnize their marriages, though favor is no more than a duty of your's as Political Agent, yet it will not only please God at your interference on behalf of the poor and helpless, but also confer on you a lasting obligation, and add highly to your fame.

In conclusion I beg to request you will keep this communication, if possible, privately, and dispose of the matter, or, if you think it desirable, I have no objection to your using it publicly.

Copy of a Memorandum to the Sirkele, enclosure marked B.

Copy of a Mazernama marked C.

Copy of a Mazernama marked D.

From the Pattastree or Senior Ranee Sahib of the present Maharajah of Poodoocottah, to the Political Agent of Poodoocottah; dated 27th September 1867, E.

I beg to bring to your kind notice the following for your favorable consideration and orders :—

Happily as you are aware of my present position, sufferings, and the indifferent treatment which I am subjected to, I need hardly enumerate them. Now I beg your generous attention to my claim to the management of Manoverthy Jagheer. Though my present reduced position does not enable me to quote the records connected with the same, yet the matter being of such notoriety that requires no such support, I have ventured to lay my claim before you with sincere belief that you will do the needful to secure my rights and privileges as the Pattastree, or the Senior Ranee Sahib to the Maharajah of Poodoocottah.

The Manoverthy estate, which is allotted for the private expenses of the ladies of the palace, was always under the management of the Head of the ladies, or Pattastree. In pursuance of this custom the said estate was governed by my mother-in-law, the mother of the Maharajah Kamalamba Ranee Sahib, for a series of years up to her death. There were at that time also junior ladies, but they were under the control of the said senior one. About the year 1850 I recollect some disputes between the ladies for division of the Jagheer or produce, and at last Government ordered the placing of the management under control of the senior one subjecting others to her control. Reference to the records to your own office will convince you of the precise nature, if necessary, of the dispute and settlement. In 1852 my mother-in-law having died and myself being under age to take the management into my own hands, the Maharajah kept it under his own supervision as trustee. But in the course of four years of wardship, not only the old surplus to a great amount were squandered, but also the estate was plunged into heavy debts, which circumstance of malversation having reached Government, they took the responsibility of promoting the interest of the estate by placing it under their control, subject to the immediate supervision of the Sirkele.

Now, as I have become myself capacitated to take the management of the estate, and as I am anxious to raise its revenue, by carefully augmenting the sources of irrigation, and by bringing the large tracts of waste lands to cultivation, I beg to submit my claim to the management thereof for your favorable consideration, and request you will be pleased to lay my claim before Government with your favorable recommendation, and to transfer the estate to my exclusive management, in accordance with the custom hitherto obtained.

I beg also to assure you that I shall maintain the rights of other ladies, and treat them with the respect and courtesy deserving their position.

As great objection will be put forth against the execution of the solicited measure, I firmly rely on your support for protection and upholding my rights.

From the Pattastree, or Senior wife of the present Maharajah of Poodoocottah, to the Political Agent of Poodoocottah ; dated 5th December 1867, F.

I beg to bring to your notice that Mangalambal Rajah Ammani Sahib, the third daughter of the Maharajah, has now attained her eleventh age. The ear-boring and nose-boring ceremonies, which are to be performed in her third, or at least within her fifth age, have not yet been celebrated. My sanguine expectation that the Maharajah will discharge his parental duty has been sadly disappointed, and his fatherly affection has sunk into such insignificance that it cannot outshine the

illpersuasions against it. As the said ceremony should be performed before the girl attains her maturity, and as it is beyond any hope that the Maharajah will pay any attention to it, it has, I am sorry to say, become unavoidable for me to perform the same in the next month ; and beg, therefore, to request that you will be pleased to sanction disbursement of Rupees 9000, to enable me to celebrate the ceremonies alluded to. In 1860 and 1862, when the similar ceremonies were performed to the eldest Rajamanee Sahib, an amount equal to the one now applied for has been sanctioned by the then Political Agent from the State Fund.

From the Pattastree, or Senior Ranee Sahib of the present Maharajah of Poodoocottah, to the Political Agent of Poodoocottah ; dated 26th March 1868, G.

As I have already brought to your notice my various difficulties and sufferings at their full length by several of my past communications, I refrain from intruding upon your precious moments with any further detail of same here, though I am sorry to see that none of my grievances has been attended to.

2. I would beg to take this opportunity of submitting that my second daughter, whose ear-boring ceremony has not as yet been performed, has now completed the twelfth year of her age. Under the custom of our caste, the above ceremony ought to be performed before she attains her age ; and failure to have it celebrated within the time prescribed, will prove prejudicial to her entering a matrimonial life. You are aware that, under existing circumstances, the Maharajah will never take any notice of it. It is, therefore, to you alone, as the Political Agent at this Durbar, that I should apply for the due performance of the necessary ceremonies in favor of my daughters, and for redressing my other grievances.

3. It is also an invariable custom among us that the senior wife of the ruling Prince should have particular respect and attention shown on all marriage occasions. I have not only been entirely denied my rights and privileges, but am not even invited for the present marriage by the Maharajah, a disgrace which I can by no means tolerate.

4. Under these circumstances, I not only beg that you will be pleased to give the needful orders for the celebration of the ear-boring ceremony in question without the least possible delay, but also grant redress to my grievances already brought to your notice though at the trouble of making a special reference to the Government on the subject, in as much as I and my poor daughters have no alternative left but that of seeking the protection of the Political Agent and the Government.

No. 390.

Transferred to the Chief Secretary to Government.

(By order).

(Signed) J. H. GARSTIN,
Private Secretary.

Government House, Madras,
4*th May* 1868.

No. 1010.

Referred to the Political Agent at Tanjore for report.

(By order).

(Signed) C. G. WALKER,
Under Secy. to Govt.

Fort Saint George,
26*th May* 1868.

No. 50. From the Political Agent of Poodoocottah, to the Chief Secretary to Government, Fort Saint George ; dated Tanjore, 3rd December 1868, No. 225.

I have the honor to report upon Government Petition No. 1010 of 1868, as directed in the Endorsement of the Under Secretary, dated 26th May 1868.

2. For easy reference, I place in juxta-position, the several complaints of the Senior Ranee of Poodoocottah; the explanation of the Rajah regarding these complaints ; and the opinion of the Sirkele.

Complaint of the Senior Ranee.	Explanation of the Rajah.	Opinion of the Sirkele.
1. The Maharajah is strictly prohibited from seeing me.	1. No one has prohibited me from seeing the Ranee, nor is there any necessity for any one to do so. My reasons for not visiting her, or allowing her access to my palace, are purely of a private and domestic nature, such as may be held secret between husband and wife, and should not be made the subject of official criticism or discussion, and I must, therefore, decline to give my reasons on these points.	1. Not called for.
2. I am not allowed to partake of the religious ceremonies which, by Hindoo Law, I am entitled to join in.	2. There are no religious ceremonies which the Ranee should take part in with me jointly, but all incidental and ordinary expences for the performance of religious ceremonies when they occur, are regularly disbursed to her, as will be seen from the accounts of the Sirkele's office.	2. On my asking some of the Priests, they affirm that, in the performance of some ceremonies, such as the marriages of children, those performed annually in behalf of deceased parents and other near relatives, &c., all Hindoos, without exception, are directed in the religious Shastras to do so with their wives; and that though the wives are not required to go through all the ceremonies with their husbands, yet their presence at the place where such ceremonies are performed, is urgently necessary; they being also bound to partake of the dinner that day with them. Contrary to this provision of the Shastras, the senior Ranee Sahib is, as she complains, really excluded when ceremoines of the above description take place in the palace.
3. I am not invited on any of the festive days, such as Deepavali, Pongul, &c.	3. As, under existing circumstances, as mentioned in paragraph 1, I neither visit the Ranee, nor allow her access to my palace, my not inviting her on such occasions, as the Deepavali, &c., must be expected as a matter of course.	3. There is no doubt that she is not invited to be present on any festive or other particular occasions that take place in the palace.
4. Notwithstanding that I am Pattastree, I was not taken to Rameswaram pilgrimage which the Maharajah undertook in 1861.	4. The title of Pattastree assumed by the Ranee has never been recognised in this Territory. All married wives of the Rajah have equal rights and honors, and precedence is accorded to the one who gives birth to an heir apparent without any consideration of priority of marriage. The Ranee, however, was not taken to Rameswaram, because, when the late Sirkele	4. Not called for.

	Annasawmy Iyer was sent to ask her to go with me, she refused to do so, and this refusal was one of the many reasons which caused ill-feeling between us.	
5. No care is taken regarding the maintenance and well-being of my children. 7. No proper allowance is given to me for the support of myself and children.	5. and 7. The Records of the Sirkele's office must show what maintenance is allowed for the Ranee and children, and also whether any comfort due to their rank and diginity is well attended to or not.	5 and 7. The allowances at present granted to the Senior and Junior Ranees, as well as to their daughters, are as follow :— (see table below) In view to prevent any room being given for further complaint on the part of the Senior Ranee, it would be expedient to put the Senior Ranee and her daughters on an equal footing with regard to allowances and servants as the Junior and her daughters.
6. The ear and nose-boring ceremonies of my younger daughter have not as yet been performed, though they ought to have taken place in the third year of her age, according to the custom of our caste.	6. According to the custom of our caste there is no particular period at which the ceremonies alluded to ought to be performed, and I refer to my letter to the Political Agent on the subject, wherein it is shown that the ceremonies in question have been postponed by her own conduct lately.	6. There is no doubt that the ear and nose-boring ceremonies of the Senior Ranee's younger daughter have not yet been performed, as they ought to have been, within the fifth year of her age, according to the custom of the caste.
8. No jewel of any value has been made for the use of my children.	8. Jewels are usually put on children at a tender age, as was done in the case of these children. These are retained till their marriage when others of value are put on. But as the Ranee herself has thrown obstacles in performing their marriage, she can have no cause of complaint on this point.	8. It does not appear that any jewel was made and presented by the Maharajah for the use of the children of the Senior Ranee Sahib.

	From Iyen Fund.			Manoverthy Fund.			Valanad Fund.			Total.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Senior Ranee	1,916	0	0	1,356	10	0	......	...	...	3,272	10	0
Junior Ranee	2,312	9	6	3,360	13	5	600	0	0	6,273	6	11
Senior Ranee's 1st daughter	557	0	0	988	3	10	113	0	0	1,658	3	10
Do. 2nd daughter.	....	...	...	1,082	2	10	......	...	...	1,082	2	10
Junior Ranee's daughter	586	0	0	876	6	8	......	...	...	1,462	6	8

Complaint of the Senior Ranee.	Explanation of the Rajah.	Opinion of the Sirkele.
9. No ceremonies were performed by the Maharajah when my daughter attained her maturity.	9. On the occasion of the Princess attaining her maturity, myself and the Junior Ranee went personally to the elder Ranee's palace and performed the necessary ceremonies, during which the latter insulted me and behaved very disrespectfully in the presence of a great many persons who attended the ceremonies. In consequence of such conduct, I declined to attend on the following day, but sent my officials and other members of the family to do what was necessary for the occasion.	9. This complaint is not well-grounded, for upon my application a sum of Rupees 4000 was sanctioned for the performance of the ceremonies. The whole amount was spent in the performances of the ceremonies usual on such occasions, and the Maharajah with the Junior Ranee Sahib had, though not frequently, once been to the palace of the senior one to be present on the occasion. I think the senior Ranee Sahib's idea in thus complaining is no other than that the ceremonies in question were not performed under the direct and immediate management of the Maharajah himself, as had been the case when the first Princess attained maturity, and that the Maharajah did not take that interest and delight which a fond parent should do.
10. No attention was paid by the Maharajah when my daughter was seriously ill, and no medical assistance was afforded, and she recovered of her illness by providential grace.	10. In case of any of the children getting sick, I am not informed of it; but on the occasion alluded to, I received daily a report of the child's health from the palace Physician, who was ordered to attend on the child and afford medical aid.	10. Not called for.
11. I and my children were not even invited for the marriage ceremony of the Maharajah's first daughter, by his second wife, which the Political Agent knows well.	11. On the lamented death of my late son, the Prince, my daughters did not, as our custom requires, come to the funeral or console me or the Junior Ranee, which was a mark of great disrespect. I, therefore, did not think it necessary to invite them to the marriage of the Princess.	
12. The Maharajah's daughter by his second wife is adorned with all sorts of jewels to the amount of nearly Rupees 80,000.	12. It will be seen from the accounts that only Rupees 10,000 were allowed for jewels at the marriage of the Princess.	
13. The Maharajah gives immense sums privately for their expenses.	13. I do not think any answer is required.	
14. The Maharajah has spent nearly 1½ lakhs of Rupees in taking the second wife to Ramasweram.	14 to 16. The sums spent on these occasions are known to the Political Agent, as they are shown in the records of the Sirkele's office.	
15. A sum of Rupees 40,000 was spent in sending the second wife to Teroopathy.		
16. In the marriage of her daughter, the sum of Rupees 50,000 has now		

been spent. 17. The debt which the Maharajah has contracted to the amount of 5 lakhs of Rupees, was given to the second wife and her relatives.	17. One note has been appended to my list of registered debts affording explanation regarding those debts, and do not, therefore, require, I should say, anything now on the subject. In conclusion, it is to be observed that, although the Ranee has been separated from me for the past ten years, such frivolous complaints were not made by her till I proposed to marry the Princesses to the persons selected by me, and it must, therefore, be apparent that her brothers and other relations come here on purpose to instigate her to make such complaints to cause mischief, and thwart my object as regards the marriage of the Princesses, in order that they may eventually marry them to their own relatives.	

3. With regard to the above causes of complaint, I have the honor to observe that the fifth is the only one in my opinion, in which I can in any way officially interfere, and I have accordingly directed the Sirkele to see that the allowances, &c., from the Manoverthy Jagheer, and other funds, granted in future to the Senior and Junior Ranees and their respective daughters, are equal in every way.

4. I have no hesitation in saying that the Senior Ranee's complaint is true ; that the Rajah very much neglects her and her two daughters; and that he acts in this way simply to please the Junior Ranee, who has the most extraordinary influence over him.

5. The Senior Ranee has more than once begged me to interfere between the Rajah and herself and to visit her in her palace ; but I have purposely refrained from doing so, and have confined myself to speaking to the Rajah on the subject, as I was convinced that any interference by me between husband and wife could lead to no good, and was only likely to make matters worse.

6. Now, however, that the Senior Ranee has brought her grievances to the notice of Government, and a report has been called for by Government, I think the time has arrived when some further action might, perhaps, with advantage, be taken in this matter, and I beg accordingly to suggest that the Government will authorize me to speak in their name to the Rajah on this subject, and to point out to him that they have heard, with much regret, that he does not treat his Senior Ranee with that kindness and forbearance which are due to her rank and position.

No. 51. ORDER THEREON, 21st December 1868, No. 285.

On consideration of the papers above recorded, His Excellency the Governor in Council directs that the Political Agent of Poodoocottah be instructed to communicate to the Senior Ranee of that State the approval of Government to his decision to increase her allowance, on her own and daughters' account, so as to put her on the same footing financially as the Junior Ranee.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 52. Read the following letter from the Acting Sub-Collector of North Arcot in charge of Stipend Pay Office, to the Chief Secretary to Government, Fort Saint George ; dated Vellore, 10th December 1868, No. 59.

I have the honor to inform you, for the information of His Excellency the Governor in Council, that the Mahal Contract for provisions, for the year 1869, was put up in my presence and knocked down at the rate of Rupees (10-10-0) ten, and Annas ten, per Khatib, being one Rupee more than the present year.

No. 53. ORDER THEREON, 21st December 1868, No. 286.

Approved.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 54. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 9th December 1868, No. 77.

I have the honor to forward a recommendation Roll* from Major Maclean, Commanding the Nair Brigade, for the admission of Serjeant Major P. Schofield of the Brigade to the annuity and medal sanctioned for those of his grade, and to request that the same may be submitted for the consideration of His Excellency the Commander-in-Chief.

* In duplicate.

No. 55. ORDER THEREON, 21st December 1868, No. 287.

Ordered that the foregoing letter with its enclosures be forwarded, through the Adjutant General, for the consideration of His Excellency the Commander-in-Chief.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 56. Read the following letter from the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Fort Saint George, 21st December 1868, No. 254.

Post Audit Department.

I have the honor to submit, for the orders of Government, an application, in original, from the Deputy Accountant General in charge of Her Majesty's Treasury, Bangalore, for the transfer of a two-lakh Fund Pensioner, Katija Beebee, member of the late Meer Ghoolam Ali's family, from Bangalore to the Stipend Paymaster's Office at Vellore, as the authority given to this Department by Government Order, No. 151, dated 3rd May 1866, extends merely to the transfer of Superannuation and Compassionate allowance pensioners.

From the Deputy Accountant General in charge of Her Majesty's Treasury, Bangalore, to the Accountant General, Madras ; dated Bangalore, 16th December 1868, No. 1214.

A two-lakh Fund Pensioner, named Katija Beebee, member of the late Meer Ghoolam Ali's family, residing at Arcot, having reported through the Civil Pension Paymaster at Mysore, that in consequence of the Head Pensioner Meer Ahmed Ali's death, through whom she formerly drew Rupees 8 per month as her share of the monthly allowance to the family, she is desirous of receiving it from the Stipend Paymaster's Office at Vellore, I have the honor, by desire of the Commissioner of Mysore, to request you will be good enough to issue the necessary instructions for the future payment of the pension, by that Officer, to Katija Beebee, on production of a last Pay Certificate signed by the Civil Pension Paymaster at Mysore.

2. A copy of Government letter, Foreign Department, No. 275, dated 9th July 1868, containing authority for the pension, is enclosed.

From the Officiating Secretary to the Government of India, Foreign Department, (Finance,) to the Commissioner of Mysore ; dated Simla, 9th July 1868, No. 275.

I have the honor to acknowledge the receipt of your letter, dated 16th ultimo, No. 40, reporting the death of Meer Ahmed Ali, a two-lakh Fund Pensioner, to the extent of Rupees 145-13-4 monthly, and submitting an application from Meer Abidolla Khan, son of the deceased, for the continuance of the stipend in full.

2. In reply, I am directed by His Excellency the Viceroy and Governor General in Council to observe that it is contrary to the principles laid down with regard to the two-lakh Fund pensions to continue them except in special cases. You have made no specific recommendations in this case, and there is nothing to show that it is a special one.

3. His Excellency in Council accordingly decides that the stipend in question has lapsed to Government. His Excellency in Council, however, is pleased to re-grant that portion of the stipend, which, as reported in your letter, dated 23rd August 1865, No. 72, was enjoyed by the ladies of the family named in the margin. Their shares will continue to be paid to them as heretofore, but will lapse on their death.

	RS.	A.	P.
Jano Beebee......	11	0	0
Begum Saheba...	11	0	0
Fatima Beebee...	11	0	0
Khairoo Beebee.	8	0	0
Khaterza Beebee.	8	0	0
Husmuk Saheba.	6	0	0
Sarooma Beebee...	6	0	0
Total...	61	0	0

4. Furthermore His Excellency is willing, as an act of indulgence, to grant Rupees 20 per mensem for the support of the widow and son of the deceased stipendiary, the allowance to lapse absolutely on the death of whichever of the two lives longest.

No. 57. ORDER THEREON, 31st December 1868, No. 288.

The transfer of the pensioner, referred to in the foregoing papers, from Bangalore to the Stipend Pay Office, Vellore, is sanctioned.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 58. Read the following letter from the Acting Secretary to the Government of Bombay, Financial Department, to the Chief Secretary to Government, Fort Saint George ; dated Bombay Castle, 10th December 1868, No. 1771.

With reference to Mr. Chief Secretary Pycroft's letter, No. 741, dated the 21st December 1860, and of this Government reply thereto in the Political Department, No. 87, dated 8th January 1861, I am directed to forward, for the information of the Government of Madras, the accompanying copy of a letter,* with its enclosures in original, from the Accountant General at this Presidency, communicating the desire of Radhabaee, widow of Krishnarow Nimbalkur, a Political pensioner, to proceed to Tanjore, and to draw her stipend from the Treasury at that place ; and to request that you will be so good, with the permission of His Excellency the Governor in Council, as to issue the requisite orders for the payment of Radhabaee's pension from the Collector's Treasury at Tanjore.

* No. 2423A, dated 2nd December 1868.

From the Accountant General, Bombay, to the Acting Secretary to Government, Bombay ; dated Bombay, 2nd December 1868, No. 2423A.

The Deputy Collector of Sattara has intimated, in letter No. 2398, dated 16th instant, that Radhabaee, widow of Krishnarow Nimbalkur, a Political pensioner, whose pension was transferred from Madras to this Presidency—vide Government Endorsement, No. 85, dated 8th January 1861, in the Political Department—wishes to proceed to Tanjore and draw her stipend from the Treasury at that place under the Government of Madras, I have, therefore, the honor to request that, should Government see no objection to the transfer, the Government of Madras may be moved to issue the requisite orders for the payment of her pension from the Collector's Treasury at Tanjore.

2. The Descriptive Roll and Certificate of last payment are herewith forwarded for transmission to the authorities at Tanjore.

No. 59. ORDER THEREON, 31st December 1868, No. 289.

The Accountant General will be requested to issue the necessary instructions to the Collector of Tanjore, for the payment of the pension, Rupees (11) eleven, of Radhabaee, widow of Krishnarow Nimbalkur, a Political pensioner, commencing from the 1st August 1868.

2. The Descriptive Roll and last Pay Certificate will be forwarded, in original, to the Accountant General.

3. Ordered that the following letter be addressed to the Government of Bombay.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 60. To the Acting Secretary to the Government of Bombay, dated Fort Saint George, 31st December 1868, No. 290.

In acknowledging the receipt of your letter of the 10th instant, No. 1771, I am directed to state that instructions have been issued for the payment of Radhabee's pension from the Collector's Treasury at Tanjore.

(Signed) R. S. ELLIS,
Chief Secretary.